

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
 NE/S York Road at Gerard Avenue * DEPUTY ZONING COMMISSIONER
 (2119 York Road) * OF BALTIMORE COUNTY
 8th Election District *
 3rd Councilmanic District *
 Michael Dellis, et al * Case No. 95-221-SPH
 Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing for that property known as 2119 York Road, in the vicinity of Timonium. The Petition was filed by the owners of the property, Michael and Marcella Dellis, and the Contract Purchaser/Lessee, Dining Out Enterprises, Inc., by Michael Dellis, President, through their attorney, Charles E. Brooks, Esquire. The Petitioners request a special hearing to approve the following: 1) commercial parking in a residential zone, pursuant to Section 409.8.B of the Baltimore County Zoning Regulations (B.C.Z.R.); 2) an amendment to the previously approved site plans in Case No. 86-377-A, dated October 8, 1985, and in Case No. 69-68-X for the Gerard Building, dated July, 1968; and, 3) a modified parking plan, pursuant to Section 409.12 of the B.C.Z.R. The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Michael Dellis, property owner, Joseph Larson, Professional Engineer, and Charles E. Brooks, Esquire, attorney for the Petitioners. Appearing as concerned citizens in the matter were several residents from the surrounding residential area, all of whom signed the Citizen's Sign-In Sheet.

ORDER RECEIVED FOR FILING
 Date 2/13/95
 By [Signature]

MICROFILMED

Testimony and evidence offered revealed that the subject property consists of 0.55 acres, more or less, zoned B.R.-C.N.S., and is located on the northeast corner of York Road at Gerard Avenue in Timonium. The property is improved with a 4,660 sq.ft. building, known as Michael's Restaurant, with an additional building used as an automotive service shop, known as Safelight Auto Glass. The Petitioners are desirous of expanding the existing restaurant dining room area to provide additional seating space. Testimony indicated the Petitioners intend to raze the Safelight Auto Glass building and construct the proposed addition in its place. The proposed improvements are more particularly described on the site plan prepared by Spellman, Larson and Associates, Inc. which was submitted into evidence as Petitioner's Exhibit 1. Testimony indicated that the proposed expansion to Michael's is for restaurant seating, only, and that the Bar area will not be expanded.

Further testimony revealed that the owners of the property have entered into a shared parking agreement with the owner of the adjoining property on which the Gerard Office Building is located. As a result of this shared parking agreement, the parking calculations for Michael's Restaurant and the Gerard Building were adjusted accordingly, pursuant to the B.C.Z.R., and as set forth on Petitioner's Exhibit 1. Pursuant to the special hearing relief requested herein, the Petitioners have requested that the parking plan depicted on the site plan be approved. Furthermore, inasmuch as the property on which the Gerard Building is located is zoned R.O., the Petitioners seek approval by way of a special hearing request to permit commercial parking in a residential zone. Lastly, the Petitioners seek an amendment to the previously approved site plans to update existing improvements on the site, pursuant to the relief granted herein.

ORDER RECEIVED FOR FILING

Date 8/3/85

By [Signature]

[Handwritten signature]

As noted earlier, several citizens from the surrounding locale attended the hearing. The testimony offered by those residents who testified was that they support the proposed expansion of the restaurant use, but wish the use to be restricted in an appropriate fashion. The residents suggested that landscaping be provided both for Michael's restaurant as well as the Gerard Building. Testimony indicated that landscaping is insufficient for both properties and that a landscape plan should be submitted to Baltimore County for review and approval. Of particular interest to the residents of Gerard Avenue was the need for additional landscaping along the Gerard Building parking lot and Gerard Avenue. Testimony revealed that the headlights from automobiles pulling into the parking spaces along Gerard Avenue tend to shine into the residences on the south side of Gerard Avenue and that existing landscaping in this area should be buttressed to eliminate this glare. After further discussion on this issue, it was determined that increasing the vegetation in this area and providing a small, board-on-board fence along the interior of the hedgerow would prevent the glare of headlights of oncoming vehicles from shining into their homes. This fence shall be no higher than the hedgerow that exists along Gerard Avenue, so as to provide proper screening without being an eyesore to the community or creating a sight distance problem. Furthermore, the residents requested that the dumpster utilized by Michael's Restaurant be properly screened from view. This issue will be addressed by virtue of the landscape plan which will be required as a condition of approval.

Further testimony offered by the residents of Gerard Avenue indicated that there currently exists a parking problem on their street. Mr. Herbert Thomas testified that on several occasions, individuals who patronize either Michael's Restaurant or the Gerard Building, have parked on

ORDER RECEIVED FOR FILING

Date

8/13/95

By

SP

Gerard Avenue and blocked the driveway to his home. Testimony indicated that this has happened to other residents along Gerard Avenue. Mr. Thomas suggested that "no parking" signs be erected on his side (or south side) of Gerard Avenue. In fact, there currently exist "no parking" signs on the north side of Gerard Avenue. However, it was suggested that these signs be switched so that there would be no parking permitted on the south side of Gerard Avenue. Doing so would allow Gerard Avenue to be utilized for parking purposes without having a detrimental effect on residents who reside on the south side of Gerard Avenue. It would also stop individuals from blocking the driveways of those residents on the south side of Gerard Avenue. I advised Mr. Thomas that this Office would investigate this issue with the Department of Traffic Engineering to determine whether or not the "no parking" signs in question can be switched. Having voiced their concerns over the use of the subject site, the residents in attendance indicated their support of the proposed addition.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 13th day of February, 1995 that the Petition for

ORDER RECEIVED FOR FILING

Date

By

Special Hearing seeking approval as follows: to permit commercial parking in a residential zone, pursuant to Section 409.8.B of the B.C.Z.R.; an amendment to the previously approved site plan in Case No. 86-377-A dated October 8, 1985, and the site plan approved for the Gerard Building in Case No. 69-68-X, dated July, 1968; and a modified parking plan pursuant to Section 409.12 of the B.C.Z.R., in accordance with Petitioner's Exhibit 1, as revised on January 18, 1995, be and is hereby GRANTED, subject to the following restrictions:

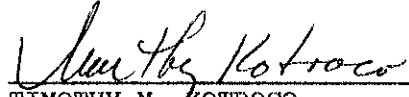
1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) Within thirty (30) days of the date of this Order, the Petitioners shall submit a landscape plan for review and approval by the Landscape Architect for Baltimore County. Besides the requirements of the Landscape Architect, said plan shall also provide the following: 1) Adequate landscaping and screening of the dumpster used by Michael's Restaurant; 2) fortify the existing hedgerow along Gerard Avenue to block the headlights of oncoming vehicles from shining into the residences on the south side of Gerard Avenue. This fortification shall require additional vegetation and, if deemed appropriate by the Landscape Architect, a small, board-on-board fence, no greater in height than the existing hedgerow. This fence will be obscured from view but will serve to screen the headlights of oncoming vehicles from view by those residents along the south side of Gerard Avenue; 3) The proposed addition to Michaels' shall be screened to the extent possible in the appropriate area to buffer its use from adjoining residential properties; and, 4) landscaping of the subject site shall include both the subject site and the adjoining property on which the Gerard Building is located. A copy of the approved landscape plan shall be submitted to the Zoning Administration and Development Management (ZADM) office prior to the issuance of any building permits.

3) All parking lot lighting and any lighting associated with the subject restaurant shall be directed down and away from adjoining residential properties.

ORDER RECEIVED FOR FILING
Date 2/13/95
By [Signature]

4) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.



TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date 9/13/95
By [Signature]

RECEIVED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

February 13, 1995

Charles E. Brooks, Esquire
610 Bosley Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
NE/S York Road at Gerard Avenue
(2119 York Road)
8th Election District - 3rd Councilmanic District
Michael Dellis, et al - Petitioners
Case No. 95-221-SPH

Dear Mr. Brooks:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Timothy M. Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Michael Dellis, President
Dining Out Enterprises, Inc., 2119 York Road, Timonium, Md. 21093

Mr. Joseph Larson, Spellman, Larson & Assoc., Inc.
Jefferson Bldg., Suite 109, Towson, Md. 21204

Mr. Eric Rockel
1610 Riderwood Drive, Timonium, Md. 21093

People's Counsel; ~~File~~





Petition for Special Hearing

95-221-SPH

to the Zoning Commissioner of Baltimore County

for the property located at 10 Gerard Avenue, Zoned RO and
2119 York Road, Timonium, Maryland 21093

which is presently zoned BR-CNS

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

A request:

- To allow commercial parking in a residential zone pursuant to RCZR Section 409 8.B
- To amend 2 previous Site Plans
i.e. Michael's Restaurant dated October 8, 1985
Gerard Building dated July, 1968
- To approve a modified parking plan pursuant to RCZR Section 409.12

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Dining Out Enterprises, Inc.
(Type or Print Name)

By Michael Dellis
Signature

Michael Dellis, President
Address

2119 York Road
Address

Timonium Maryland 21093
City State Zipcode

Legal Owner(s):

Michael Dellis
(Type or Print Name)

Michael Dellis
Signature

Marcella Dellis
(Type or Print Name)

Marcella M. Dellis
Signature

2119 York Road 252-2022
Address Phone No

Timonium Maryland 21093
City State Zipcode

Name, Address and phone number of representative to be contacted

Charles E. Brooks
Name
610 Bosley Avenue 296-2600
Address Phone No
Towson, MD 21204
City State Zipcode
OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____
unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____

Attorney for Petitioner

Charles E. Brooks, Esquire
(Type or Print Name)

Charles E. Brooks
Signature

610 Bosley Avenue 296-2600
Address Phone No

Towson, Maryland 21204
City State Zipcode

**DROP-OFF
No REVIEW
12-15-94
WCR**



SIGNATURES CONTINUED

ORDER RECEIVED FOR FILING

Date _____
By _____

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

Charles E. Brooks, Esquire

(Type or Print Name)

Signature

610 Bosley Avenue 296-2600

Address

Phone No.

Towson Maryland 21204

City

State

Zipcode

We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Gerard Associates, LLC

(Type or Print Name)

By:

Signature

Lawrence J. Thanner, Jr.,
Manager

(Type or Print Name)

Signature

P.O. Box 4127

Address

Phone No

Timonium

Maryland 21094-4127

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Charles E. Brooks, Esquire

Name

610 Bosley Avenue

296-2600

Address

Towson, Maryland

21204

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

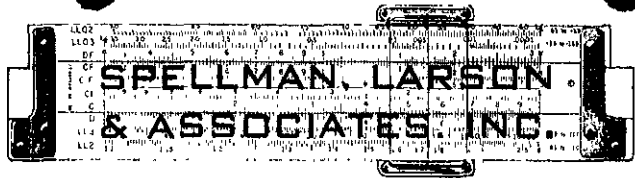
95-221-SPH



MICROFILMED



215



ROBERT E SPELLMAN, P.L.S.
JOSEPH L. LARSON
JO ANN W. ROGGE

SUITE 109 — JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
TEL (410) 823-3535
FAX (410) 825-5215

95-221-SPH

DESCRIPTION FOR ZONING NO. 10 GERARD AVENUE, 8TH DISTRICT,
BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the north side of Gerard Avenue, 40 feet wide, the distance of 126.31 feet measured easterly along the north side of Gerard Avenue from the fillet curve connecting the north side of Gerard Avenue and the northeast side of York Road as widened and as shown on State Roads Commission Right-of-Way Plat No. 42189 and running thence and binding on the north side of Gerard Avenue north 86 Degrees 05 Minutes 28 Seconds east 230.60 feet thence leaving the north side of Gerard Avenue and running north 12 Degrees 08 Minutes 32 Seconds west 160.33 feet to the south side of a 16.5 foot alley running thence and binding on the south side of said alley south 86 Degrees 09 Minutes 58 Seconds west 250.57 feet thence leaving the south side of said alley and running south 19 Degrees 01 Minutes 02 Seconds east 164.70 feet to the place of beginning.

Containing 0.87 acres of land, more or less.

09/29/94



[Handwritten signature]

215



ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON
JO ANN W. ROGGE

SUITE 109 — JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
TEL (410) 823-3535
FAX (410) 825-5215

95-221-SPH

DESCRIPTION FOR ZONING MICHAEL'S RESTAURANT PROPERTY, YORK ROAD AND GERARD AVENUE, 8TH DISTRICT, BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the north side of Gerard Avenue, 40 feet wide, at the beginning of the fillet connecting the north side of Gerard Avenue with the north east side of York Road, as widened, and as shown on State Road Commission Right-of-Way Plat No. 42189 and running thence and binding on said fillet curve northwesterly by curve to the right with a radius of 26.73 feet the distance of 33.79 feet (the chord of the arc bears north 57 Degrees 41 Minutes 32 Seconds west 31.50 feet) to the north east side of York Road herein referred to running thence and binding on the north east side of York Road north 21 Degrees 29 Minutes 02 Seconds west 147.32 feet to the south side of a 16.5 foot alley thence leaving the north east side of York Road and binding on the south side of said alley north 86 Degrees 09 Minutes 58 Seconds east 403.87 feet thence leaving the south

[Faint handwritten signature or initials]



ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON
JO ANN W. ROGGE

SUITE 109 — JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
TEL (410) 823-3535
FAX (410) 825-5215

95-221-5PH

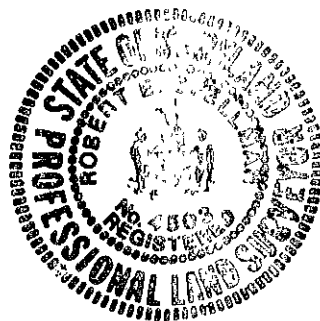
DESCRIPTION FOR ZONING MICHAEL'S RESTAURANT PROPERTY, YORK ROAD AND GERARD AVENUE, 8TH DISTRICT, BALTIMORE COUNTY, MARYLAND

Page: 2

side of said alley and running south 12 Degrees 08 Minutes 32 Seconds east 160.33 feet to the north side of Gerard Avenue herein referred to and running thence and binding on the north side of Gerard Avenue south 86 degrees 05 Minutes 28 Seconds west 356.91 feet to the place of beginning.

Containing 1.42 acres of land, more or less.

12/08/94



MICROFILMED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-241-SPH

District: 8E/7

Date of Posting: 12/27/94

Posted for: Special Hearing

Petitioner: Michaels Restaurant - Dining out Enterprise, Inc

Location of property: 10 Gerard Ave, 219 York York

Location of Signs: Facing roadway on property being zoned

Remarks: _____

Posted by: *M. H. H. H.*
Signature

Date of return: 12/30/94

Number of Signs: 1



MICROFILMED

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21294 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21294 as follows:

Case: #85-221-BPH
(Item 215)

10 Gerard Avenue and
2119 York Road --
Michael's Restaurant
NE/S York Road (MD
Route 48), corner N/S
Gerard Avenue
8th Election District
3rd Councilmanic

Legal Owner(s):
Michael Dells, Marcella
Dells, and Gerard As-
sociates, LLC

Contract Purchaser(s):
Dining Out Enterprises,
Inc.

Hearing: Wednesday,
January 25, 1995 at

11:00 a.m. in Rm. 118, Old
Courthouse.

Special Hearing to allow
commercial parking in a re-
sidential zone; to amend 2
previous site plans (Michael's
Restaurant dated 10/8/86 and
Gerard Building dated 7/88);
and to approve a modified park-
ing plan.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handi-
capped Accessible for special ac-
commodations Please Call
887-3353.

(2) For information concern-
ing the File and/or Hearing, Please
Call 887-3391.

12/310 December 29

CERTIFICATE OF PUBLICATION

TOWSON, MD., Dec. 30, 1994

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Dec 29, 1994

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

APPROVED FOR PUBLICATION
12/29/94

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 013401

DATE 1/31/96 ACCOUNT 001-6150

AMOUNT \$ 40.00 (WCR)

RECEIVED FROM: Law Offices of Charles E. Brooks

#710 - VERIFICATION
Michael's Cafe/Gerard Bldg.

FOR: _____

Michael's Cafe 0349140206NCHRC \$40.00
PA 002122PM01-31-96

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER



Baltimore County
 Zoning Administration &
 Development Management
 111 West Chesapeake Avenue
 Towson, Maryland 21204

receipt

95-221-SPH

Date 1/20/95

Account: R-001-6150

Number 215 (WCR)

DROP-OFF REVISIONS - NO REVIEW

#110 - REVISIONS _____ \$100.00

Legal Owner: Michael Dellis & Marcella Dellis & Gerard Associates, LLC
 Contract Purchaser: Dining Out Enterprises, Inc.
 10 Gerard Avenue & 2119 York Road
 8th Election District
 Attorney: Charles E. Brooks

Check from:
 Law Offices of Charles E. Brooks

RECEIVED

01 JAN 20 1995 10:42 AM
 BALTIMORE COUNTY

Please Make Checks Payable To: Baltimore County

Cashier Validation



P. Winona St.
**Zoning Administration &
 Development Management**
 111 West Chesapeake Avenue
 Towson, Maryland 21204

receipt

95-221-SP4

Account: R-001-6150

Number 215

Date 12/15/94

DROP-OFF --- NO REVIEW

#040 -- SPECIAL HEARING -----	\$250.00
#080 -- SIGN POSTING (2 @ \$35)-----	70.00
TOTAL -----	\$320.00

Legal Owner: Michael Dellis & Marcella Dellis & Gerard Associates, LLC
 Contract Purchaser: Dining Out Enterprises, Inc.
 10 Gerard Avenue & 2119 York Road -- Michael's Restaurant
 Zoning: R.O. (Gerard Avenue) & B.R.-C.N.S. (York Road)
 Acreage: .87 +/- acres (Gerard Avenue) & 1.42 +/- acres (York Road)
 8th Election District
 Attorney: Charles E. Brooks

RECORDED

Checks from Dining Out Enterprises, Inc.

T/A Michael's 2119

DLADLHOLLONTCHRC \$320.00

BA COOB:54AM12-16-94

Please Make Checks Payable To: Baltimore County

Cashier Validation

TO: PUTUXENT PUBLISHING COMPANY
December 29, 1994 Issue - Jeffersonian

Please forward billing to:

Charles E. Brooks, Esq.
610 Bosley Avenue
Towson, Maryland 21204
410-296-2600

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-221-SPH (Item 215)
10 Gerard Avenue and 2119 York Road -- Michael's Restaurant
NE/S York Road (MD Route 45), corner N/S Gerard Avenue
8th Election District - 3rd Councilmanic
Legal Owner(s): Michael Dellis, Marcella Dellis, and Gerard Associates, LLC
Contract Purchaser(s): Dining Out Enterprises, Inc.
HEARING: WEDNESDAY, JANUARY 25, 1995 at 11:00 a.m. in Room 118, Old Courthouse.

Special Hearing to allow commercial parking in a residential zone; to amend 2 previous site plans (Michael's Restaurant dated 10/8/85 and Gerard Building dated 7/68); and to approve a modified parking plan.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILM

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

DECEMBER 22, 1994

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-221-SPH (Item 215)
10 Gerard Avenue and 2119 York Road -- Michael's Restaurant
NE/S York Road (MD Route 45), corner N/S Gerard Avenue
8th Election District - 3rd Councilmanic
Legal Owner(s): Michael Dellis, Marcella Dellis, and Gerard Associates, LLC
Contract Purchaser(s): Dining Out Enterprises, Inc.
HEARING: WEDNESDAY, JANUARY 25, 1995 at 11:00 a.m. in Room 118, Old Courthouse.

Special Hearing to allow commercial parking in a residential zone; to amend 2 previous site plans (Michael's Restaurant dated 10/8/85 and Gerard Building dated 7/68); and to approve a modified parking plan.

A handwritten signature in cursive script that reads "Arnold Jablon".

Arnold Jablon
Director

cc: Michael and Marcella Dellis
Charles E. Brooks, Esq.

- NOTES:** (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

January 19, 1995

Charles E. Brooks, Esquire
610 Bosley Avenue
Towson, Maryland 21204

RE: Item No.: 215
Case No.: 95-221-SPH
Petitioner: Michael Dellis, et ux.

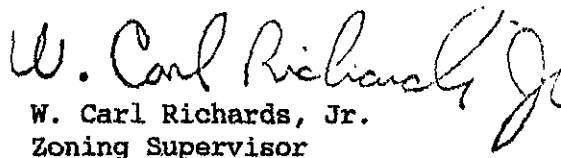
Dear Mr. Brooks:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on December 15, 1994.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED



BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Jan. 4, 1995
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for January 3, 1995
Item No. 215

The Developers Engineering Section has reviewed the subject zoning item. The permit for the addition is subject to the Landscape Manual to the extent possible.

In addition, the six (6) existing parking spaces along York Road shall be changed to parallel spaces.

RWB:sw

60950
60950



**Maryland Department of Transportation
State Highway Administration**

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

1-19-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 4215 (WCR)


Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for 
Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department

JW



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 12/22/94

Barbara Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21284
MAIL STOP-1105

RE: Property Owners: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF DEC. 27, 1994.

Item No.: SEE BELOW

Zoning Agenda:

Comments:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

3. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 208, 209, 210, 211,
212, 214, 215 AND 216.

RECEIVED

JAN 3 1995

ZADM

REVIEWER: LT. ROBERT P. COFFRINO
Fire Marshal Office, PHONE 827-4281, FS-1105F

cc: File



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 1/12/95

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: Dec. 27, 1994

The Department of Environmental Protection & Resource Management has (no) comments for the following Zoning Advisory Committee Items:

Item #'s: 208
210
212
213
214
215
216

LS:sp

LETTY2/DEPRM/TXTSBP

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: December 21, 1994

FROM: Pat Keller, Director
Office of Planning and Zoning

H2 11 1215
207, 209, 215
(7/1/1)

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 207, 209, 210, 212, 214, and 215

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long
Carol Kern

Division Chief:

PK/JL

207/209/215

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
10 Gerard Avenue and 2119 York Road		
NE/S York Rd (MD Route 45), corner	*	ZONING COMMISSIONER
N/S Gerard Ave, 8th Election Dist.,		
3rd Councilmanic	*	OF BALTIMORE COUNTY
Michael & Marcella Dellis, et al.	*	CASE NO. 95-221-SPH
Petitioners		

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

Carole S. Demilio
 CAROLE S. DEMILIO
 Deputy People's Counsel
 Room 47, Courthouse
 400 Washington Avenue
 Towson, MD 21204
 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of January, 1995, a copy of the foregoing Entry of Appearance was mailed to Charles E. Brooks, Esquire, 610 Bosley Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
 PETER MAX ZIMMERMAN

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: March 9, 1995

TO: The Honorable Douglas B. Riley
Councilman, Fourth District

FROM: Stephen E. Weber, P.E., Chief
Division of Traffic Engineering



SUBJECT: Gerard Avenue - "No Parking"

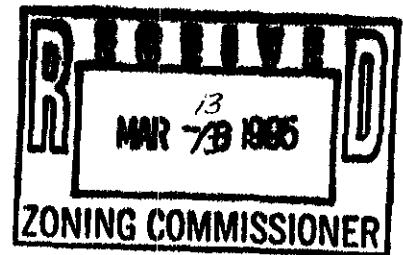
This is in response to the recommendation of relocating the present "No Parking" restriction along the north side of Gerard Avenue to the south side.

We would have no objection to the recommended proposal since the number of on-street parking spaces remains basically the same. We would, however, request the full cooperation of the three residential properties fronting Gerard Avenue.

Since you have had previous contact with the residents regarding this request, I am asking if it is feasible for you to determine if there is a consensus of opinion as to where the parking should be located. Once that consensus is reached, please contact our office so that we can expedite the necessary parking changes, if required. Should you have any questions, please contact Mr. Mark Gonce at ext. 3554.

SEW/MG/lvd

cc: Mr. Timothy Kotroco, Deputy Zoning Commissioner





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

January 31, 1996

Charles E. Brooks, Esquire
Law Offices of Brooks & Spicer
610 Bosley Avenue
Towson, MD 21204

RE: Michael's Cafe/Gerard Building
2119 York Road
New Business Parking in
Residential Zone Petition
#86-377-A, #95-221-SPH
8th Election District

Dear Mr. Brooks:

Reference is made to your meeting with Arnold Jablon, Director of Permits and Development Management, and your letter dated January 16, 1996 which has been referred to me for reply. On behalf of your client, "Michael's", you have requested confirmation and/or certification of the zoning regulations applicable to additional business parking in a residential zone on the southside of Gerard Avenue. You have also stated that this proposed parking would be used by employees and not patrons.

Simply stated, Arnold Jablon verified the information provided by the zoning staff that a public hearing was required. Provided that all of the general requirements for parking in a residential zone are met, the application would include a variance to the RTA requirements and a special hearing for the parking use permit.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact John Lewis or myself at (410) 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:scj

1/31/96 11:52 AM



Baltimore County Government
Office of Zoning Administration
and Development Management



11 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

December 23, 1994

1/19/95
8
95-221-SPH

Charles E. Brooks, Esquire
Brooks and Spicer
610 Bosley Avenue
Towson, MD 21204

DEC 23 1994

RE: Preliminary Petition Review (Item #215)
Legal Owner: Michael Dellis & Marcella Dellis &
Gerard Associates, LLC
Contract Purchaser: Dining Out Enterprises, Inc.
10 Gerard Avenue & 2119 York Road
8th Election District

Dear Mr. Brooks:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

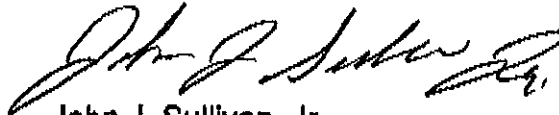
1. Enlarge vicinity map to 1' = 500' or 1" = 1,000'.
2. Add right-of-way of York Road and dates of widening.
3. Add dimensions of existing and proposed buildings, additions.
4. Give date of original building and parking lot and get approval of Rahee Famili, Room 211, for parking spaces and traffic flow along York Road side of building (currently deficient aisle width for two-way traffic).
5. Show all signs and add note that they comply with Section 413 of the Baltimore County Zoning Regulations (BCZR) and all zoning policies.

Charles E. Brooks, Esquire
December 23, 1994
Page 2

6. Add Floor Area Ratio (FAR) calculations.
7. Correct number of spaces shown to 117 and surplus to 27.
8. Indicate paving type of all parking areas.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,



John J. Sullivan, Jr.
Planner II

JJS:scj

Enclosure (receipt)

cc: Zoning Commissioner

1/17/96
TO WCR
P
to cashier
96-211

LAW OFFICES
OF
BROOKS & SPICER
610 BOSLEY AVENUE
TOWSON, MARYLAND 21204

CHARLES E. BROOKS
MALCOLM F. SPICER, JR.

(410) 296-2600

TELEFAX
(410) 296-2379

January 16, 1996

Mr. Arnold Jablon, Director
Department of Permits and
Development Management
Baltimore County
County Office Building
Towson, Maryland 21204

Re: Michael's Cafe/Gerard Building
Job Number: 95019

Dear Mr. Jablon:

Attached herewith please find two (2) copies of the Site Development Plan for the above-captioned properties which are being submitted to you to accompany this request for a formal interpretation of the Baltimore County Zoning Regulations. As a supplement to the above Plans, please find two (2) copies of the Final Record Plat of Yorkshire/Haverford which I have modified to assist you in evaluating the request as contained herein.

Also attached please find our check for the standard processing fee of Forty Dollars (\$40.00).

The Michael's Cafe/Gerard Building Site is an integrated office/commercial complex which was the subject of a Zoning Hearing on January 25, 1995 and enjoys an approved Site Plan as a result of that formal Hearing before the Zoning Commissioner.

We wish to herein make a formal request of your office to clarify the Baltimore County Zoning Regulations as they effect surplus commercial parking. This request involves the identification and evaluation of parking that is intended only as surplus parking which is not needed to support the floor area or any other requirement as covered in the Zoning Regulations.

The property owner upon recognizing the need to mitigate traffic congestion in the neighborhood intends to purchase lot No. 6, Block A as shown on the Plat of Yorkshire/Haverford located at the corner of Gerard Avenue and

Page Two
January 16, 1996
Mr. Arnold Jablon

Timonium Road. We have highlighted this lot on the attached copies of the Record Plats to properly identify the site in question. Upon purchasing the property, it is the owners desire to raze the existing dwelling and construct an employee parking area in accordance with all standard Site Development Regulations.

Again, this parking proposal is not intended to support additional building area or expansion of either the Gerard Building or Michael's Cafe, but is to be used only as a convenience for employee parking.

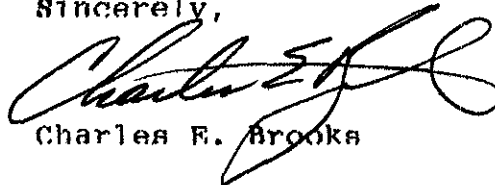
The clarification of the Zoning Regulations that we seek is to verify our interpretation of the Regulations and confirm the information which has been provided to us by your Staff.

It is my understanding that what we are attempting to achieve regarding this parking proposal would be allowable by way of a Zoning Hearing to deal with two matters, those being, a Variance to the required Residential Transition Area and secondly a Special Hearing for commercial parking in a residential zone.

The proximity of the proposed parking area should not be germane to this request since the parking is not being provided as a requirement to support floor area, but will only be used for parking surplus. In any case, the lot in question is located within the five hundred (500) foot distance requirement as stipulated in the Regulations whereby this issue is academic.

I would appreciate your review of this request and your timely response.

Sincerely,



Charles E. Brooks

CFB/lg
Enclosures

cc: Michael S. Dellis

45

215
D.R. 2



YORK ROAD

GREENMEADOW

SEMPER ROAD

BM
Parking Area

SUBJECT SITE

BM - CNS

GERARD AVE

DR 55

BL - CNS

TIMONIUM

HAMMEN ROAD

ZONING MAP - NW 14-A

Scale: 1" = 200'

BR - IM

BR

MICROFILMED

TIMONIUM

W 3000

92-528-A

BL

747.95

2/21/95
8

LAW OFFICES
BROOKS & SPICER
610 BOSLEY AVENUE
TOWSON, MARYLAND 21204

CHARLES E. BROOKS
MALCOLM F. SPICER, JR.

(410) 286-8600

TELEFAX
(410) 286-8379

February 16, 1995

Mr. John J. Sullivan, Jr.,
Planner II
Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Preliminary Revision Review (Item #215)
Zoning Case #95-221-SPH
Legal Owner: Michael Dellis & Marcella Dellis &
Gerard Associates, LLC
Contract Purchaser: Dining Out Enterprises, Inc.
10 Gerard Avenue & 2119 York Road
8th Election District

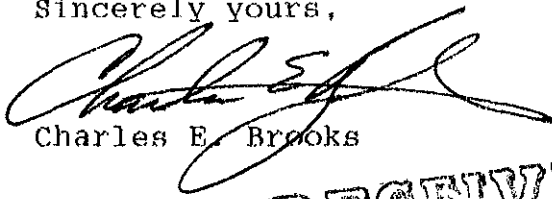
Dear Mr. Sullivan:

I am in receipt of and thank you for your letter of January 30, 1995 received in my offices on February 2, 1995.

Upon receipt of the same, I forwarded it to Mr. Joseph Larson of Spellman and Larson and asked him to review the same with you and I understand that you met with him during the week of February 13, 1995 and reviewed the now present status of this case. As a result of which, I have been advised by him that we may disregard your letter of January 30, 1995.

If for any reason I am mistaken in this assumption, it would be greatly appreciated if you would so advise.

Sincerely yours,



Charles E. Brooks

2/22/95
MY 1-30-95
disregarded...
CER/lg 95-221-SPH
2-13-95

cc: Joseph L. Larson
Michael S. Dellis

MICROFILMED

RECEIVED
FEB 21 1995

ZADW

SPELLMAN LARSON & ASSOCIATES, INC.
 Suite 107 Jefferson Building
 105 West Chesapeake Avenue
 TOWSON, MARYLAND 21204

LETTER OF TRANSMITTAL

Phone 823-3535

TO

Mr Arnold Jablon, Director
 Office of Zoning Administration
 Baltimore County
 County Office Bldg.
 Towson MD 21204

DATE	Dec. 15, 1994	JOB NO.	94016
ATTENTION	Mr John Lewis		
RE:	MICHAEL'S RESTAURANT		

WE ARE SENDING YOU Attached Under separate cover via _____ the following items:

- Shop drawings
 Prints
 Plans
 Samples
 Specifications
 Copy of letter
 Change order
 Documents

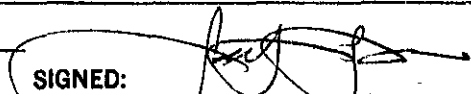
COPIES	DATE	NO.	DESCRIPTION
12	12/07/94	--	Plat to Accompany Zoning Petition
Orig.	12/15/94	--	Sign Posting Fee Check (\$70.00)

THESE ARE TRANSMITTED as checked below:

- For approval
 Approved as submitted
 Resubmit _____ copies for approval
 For your use
 Approved as noted
 Submit _____ copies for distribution
 As requested
 Returned for corrections
 Return _____ corrected prints
 For review and comment
 For Scheduling of a Special Hearing
 FOR BIDS DUE _____ 19 _____
 PRINTS RETURNED AFTER LOAN TO US

REMARKS _____

COPY TO Brooks & Spicer
 Michael Dellis

SIGNED: 
 Joseph L Larson

SPELLMAN LARSON & ASSOCIATES, INC.
 Suite 107 Jefferson Building
 105 West Chesapeake Avenue
 TOWSON, MARYLAND 21204

1/19/95
 8

LETTER OF TRANSMITTAL

253-95

DATE	1/18/95	JOB NO.	94016
ATTENTION	Mr John Sullivan		
RE:	MICHAEL'S RESTAURANT		
215			
DROP-OFF			

TO Mr. Arnold Jablon, Director
 Office of Zoning Administration
 Baltimore County
 County Office Bldg.
 Towson MD 21204

WE ARE SENDING YOU Attached Under separate cover via _____ the following items:

- Shop drawings Prints Plans Samples Specifications
 Copy of letter Change order Documents

1/20/95

COPIES	DATE	NO.	DESCRIPTION
12	12/07/94	--	Plat to Accompany Zoning Petition (Rev. 01/16/95)
1	12/23/94	--	ZADM Comments
Orig.	01/18/95	--	\$100.00 Check for revision fee
95221-SPH			

THESE ARE TRANSMITTED as checked below:

- For approval Approved as submitted Resubmit _____ copies for approval
 For your use Approved as noted Submit _____ copies for distribution
 As requested Returned for corrections Return _____ corrected prints
 For review and comment _____
 FOR BIDS DUE _____ 19 _____ PRINTS RETURNED AFTER LOAN TO US

REMARKS _____

RECEIVED
 JAN 19 1995

ZADM

COPY TO Michael Dellis
 Charles Brooks
 Ron Clayton

SIGNED: _____

Joseph L. Larson



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

March 29, 1999

Mr. Joseph L. Larson, President
Spellman, Larson & Associates, Inc.
105 W. Chesapeake Avenue, Suite 406
Towson, Maryland 21204

RE: Michael's Restaurant
2119 York Road
Case No. 95-221-SPH

Dear Mr. Larson:

In response to your letter dated January 21, 1999 concerning the above-captioned matter, the following comments are offered. You have requested authorization to construct a second floor open deck atop a portion of the enclosed patio located at the southwest corner of the existing building, without filing a Petition for Special Hearing to approve an amendment to the previously approved site plan in Case No. 95-221-SPH.

In view of the nature of your request, I invited Mr. Lawrence Schmidt, Zoning Commissioner, to join me in a site visit to the property in an effort to gain a visual perspective. Based upon the information contained in your letter, a review of the site plan attached thereto, and my site visit to the property, I find that your client's proposal is significant and cannot be approved by a simple "spirit and intent" letter. In my view, this matter should be brought to the attention of Mr. Arnold Jablon, Director of the Department of Permits and Development Management (DPDM), for a determination as to how you should proceed.

Should you have any further questions on the subject, please do not hesitate to contact me.

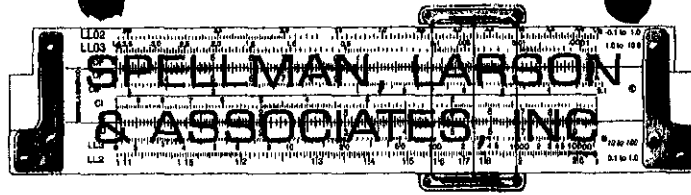
Very truly yours,

A handwritten signature in cursive script that reads "Timothy M. Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs
cc: Mr. Arnold Jablon, DPDM
Case File





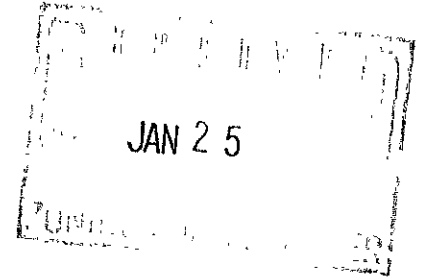
ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON

CIVIL ENGINEERS AND LAND SURVEYORS

SUITE 406 - JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
TEL (410) 823-3535 / (410) 823-3539
FAX (410) 825-5215

January 21, 1999

Mr. Timothy Kotroco, Deputy Zoning
Commissioner
Zoning Commissioners Office
Baltimore County
New Courts Building
Towson, MD 21204



"HAND DELIVERED"

RE: Michael's Restaurant
2119 York Road
Job No. 94016

Dear Mr. Kotroco:

The owner of Michael's Restaurant in Timonium is contemplating a minor improvement to the restaurant which entails the construction of a second floor open deck atop a portion of the enclosed patio located at the southwest corner of the building at York Road and Gerard Avenue.

I am attaching hereto a copy of a rubricated Site Plan that shows the size of the proposed improvement and the location of same.

By way of this letter we are formally requesting that this improvement be allowed to occur upon your written authorization in lieu of the requirement for a Special Hearing to amend the previously approved Site Plan from Case No. 95-221-SPH.

As you can see on the attached Plan as highlighted in red the proposed improvement consists of merely 733 sq. ft. of second floor deck area which is less than a ten percent increase in the existing building floor area.

Michael's Restaurant
2119 York Road
Job No. 94016

SPELLMAN, LARSON & ASSOC.
January 21, 1999
Page 2

The restaurant currently enjoys an adequate surplus of parking spaces to support the increase in floor area. Further the proposed improvement is contained within the existing building footprint which will not require any front yard or side yard building setback considerations.

Also due to the insignificant nature of the improvement there will be no site development concerns or requirements to address.

In light of the minor nature of the above described proposal it is clear that the approval of same is within the "spirit and intent" of the Development Regulations and should not require a new Zoning Hearing. Also, and more importantly, this addition will certainly not in any way be a detriment to the health, welfare and general safety of the neighborhood.

We have previously submitted a Request through the Department of Permits and Development Management Development Review Committee for an a(7) Limited Exemption for this proposed improvement. This Request has been approved by the Committee subject to a review of the Building Plans for the new deck by the Office of Planning.

Of course, the a(7) Limited Exemption approval is subject to the approval by your office to amend the previously approved Site Plan.

Michael's Restaurant
2119 York Road
Job No. 94016

SPELLMAN, LARSON & ASSOC.
January 21, 1999
Page 2

I would appreciate your review of this request and should you deem the improvement to be within the "spirit and intent" of the Regulations simply document your authorization on the bottom of this letter and return a copy to this office so that we may proceed ahead with the proposed building improvement.

I appreciate your cooperation and indulgence and your timely response.

Very truly yours,

SPELLMAN, LARSON & ASSOC.



Joseph L. Larson
PRESIDENT

cc:Michael Dellis
Frank Harvey

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

ADDRESS

LOUIS W MILLER

44 E. TIMONILLUM RD. 21093 ^{TIM. MD.}

Herbert W. Thomas

11 Gerard Ave 21093 ^{Timon. Md.}

Helen M. Thomas

9 Gerard Ave 21093 ^{Timonilla Md.}

Eric Roedel

1610 Ridewood Dr 21093

Dave Jones

10706 Pot-Sonic Rd 21030

Ret Ex #2

SHARED PARKING AGREEMENT

THIS AGREEMENT, made this 31st day of October, 1994, by and between Dining Out Enterprises, Inc. (hereinafter referred to as "Michael's") and Hillstead Development, Inc. (hereinafter referred to as "Hillstead").

WHEREAS, Michael's leases that real property with improvements thereon known as 2119 York Road, Timonium, Maryland for the operation of a bar and restaurant business known as Michael's Cafe; and

WHEREAS, Hillstead is the contract purchaser of that property and the improvements thereon known as 10 Gerard Avenue, Timonium, Maryland which is a mid-rise professional office building; and

WHEREAS, the above referenced properties abut one another and share a common boundary line; and

WHEREAS, the parties have determined that it would be in their mutual best interest to enter into this Shared Parking Agreement.

NOW THEREFORE, in consideration of the premises and the mutual covenants of each of the parties contained herein, they do hereby covenant and agree for themselves, their successors and assigns as follows:

1. Any barriers between the respective parking lots, as they now exist, will be removed and the combined parking areas

will be re-stripped as reflected on the attached plan from Spellman, Larson and Associates which plans provide for a total of one hundred eighteen (118) parking spaces on both sites combined.

2. The parties hereto agree that they, their tenants, employees, customers and business invitees shall have and enjoy during the term of this Agreement access and use for parking purposes to all the parking spaces set forth on the attached site plan.

3. Each of the parties shall be responsible for the general maintenance and repair of the parking areas within their boundary lines including the routine removal of snow and ice. Michael's shall be responsible for the daily policing of the parking area to remove any litter and/or trash.

4. Each of the parties shall pay their own respective property taxes and assessments.

5. The term of this Agreement shall be for a term of twenty (20) years accounting from November 16, 1994 and during each month of the term of this Agreement, Michael's shall pay to Hillstead or its assignee the sum of Nine Hundred Dollars (\$900.00) per month for its use of the shared parking facility.

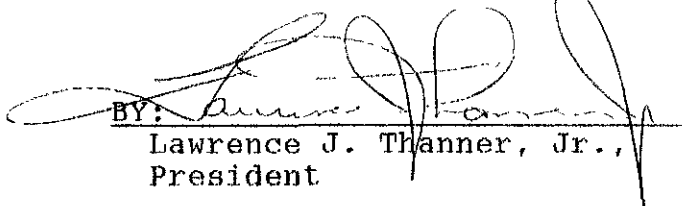
6. This Agreement shall be binding upon the parties hereto and their respective successors and assigns. Gerard Associates, LLC, a limited liability company to be formed, joins in this Agreement as it will become the owner of the property

known as 10 Gerard Avenue at settlement now scheduled for
November 16, 1994.

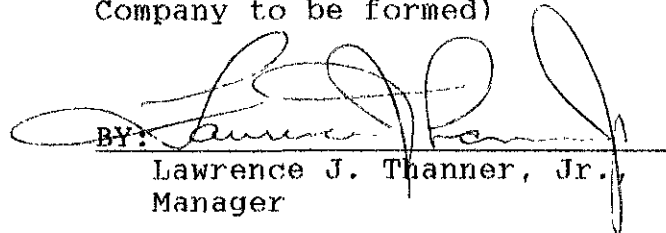
DINING OUT ENTERPRISES, INC.

BY: 
Michael S. Dellis, President

HILLSTEAD DEVELOPMENT, INC.

BY: 
Lawrence J. Thanner, Jr.,
President

GERARD ASSOCIATES, LLC
(A Maryland Limited Liability
Company to be formed)

BY: 
Lawrence J. Thanner, Jr.,
Manager

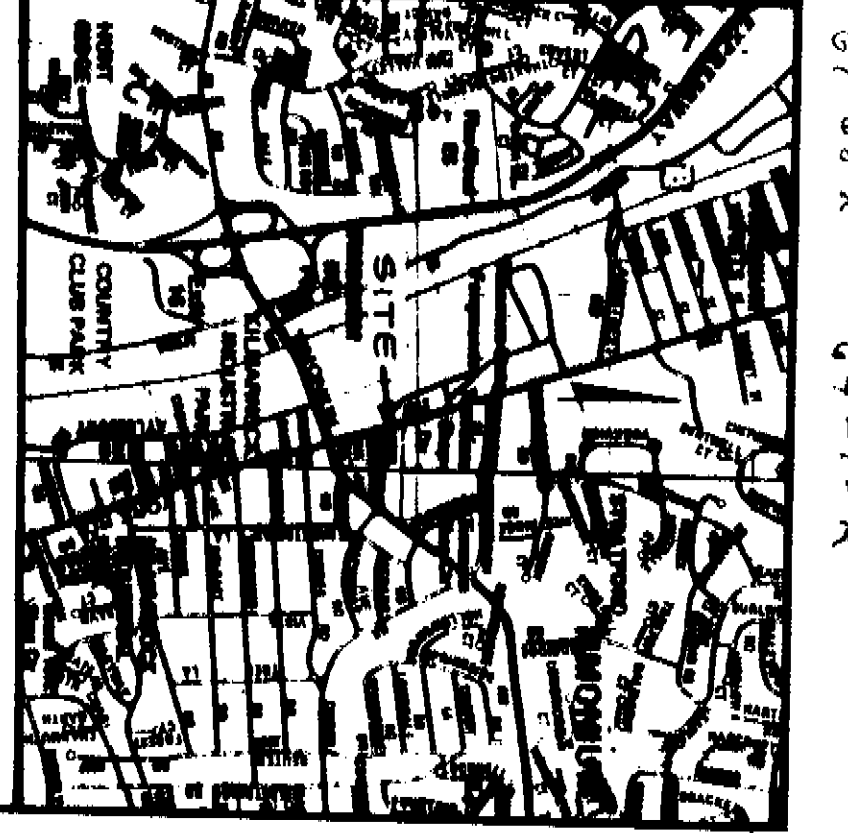
PARKING CALCULATIONS		MICHAEL'S RESTAURANT PARKING CALCULATIONS		GERARD BLDG. PARKING CALCULATIONS	
EXISTING SITE RESTAURANT	4,110 SF	4,110 SF	1,000	1,000	1,000
PROPOSED RESTAURANT ADDITION	8,813 SF	8,813 SF	1,000	1,000	1,000
BASEMENT	2,013 SF	2,013 SF	1,000	1,000	1,000
TOTAL PARKING REQUIRED	120 SPACES	120 SPACES	120 SPACES	120 SPACES	120 SPACES

COMBINED SITE PLAN SHARED PARKING CALCULATIONS					
WEEK DAY		WEEKEND		NIGHTTIME	
DAYTIME (6AM-6PM)	EVENING (6PM-MIDNIGHT)	DAYTIME (6AM-6PM)	EVENING (6PM-MIDNIGHT)	DAYTIME (6AM-6PM)	EVENING (6PM-MIDNIGHT)
OFFICE 100% = 48	10% = 4.8	10% = 4.8	5% = 2.4	10% = 4.8	5% = 2.4
RESTAURANT 108	12.5	12.5	12.5	12.5	15
TOTAL	120	120	120	120	120

NET PARKING REQUIREMENTS = 90 SPACES
 PARKING PROVIDED = 118 SPACES
 PARKING SURPLUS = 28 SPACES

SPECIAL NOTE: BCZR 409.8.B.2 COMMERCIAL PARKING IN RESIDENTIAL ZONE

- THE LAND SO USED ADJOINING THE BUSINESS INVOLVED, MUST BE USED FOR THE BUSINESS PURPOSES.
- ONLY PASSENGER VEHICLES, EXCLUDING BUSES, MAY USE THE PARKING FACILITY.
- NO LOADING, SERVICE OR ANY USE OTHER THAN PARKING SHALL BE PERMITTED.
- LIGHTING SHALL BE REGULATED AS TO LOCATION, DIRECTION, HOURS OF ILLUMINATION, GLARE, AND INTENSITY, AS REQUIRED.
- A SAFETY PLAN SHOWING PARKING ARRANGEMENT AND VEHICULAR ACCESS IS PROVIDED HEREON.
- METHOD AND AREA OF OPERATION, PROVISION FOR MAINTENANCE AND PERMITTED HOURS OF USE ARE PROVIDED HEREON AND BY SUPPLEMENTAL OCCUPANCY PERMITS.



VICINITY MAP
SCALE: 1" = 200'

SITE DATA

MICHAEL'S RESTAURANT
 AREA OF TRACT = 0.531 ACRES
 EXISTING ZONING = BR-CNS
 PROPOSED USE = RESTAURANT-AUTO SHOP
 TAX ACCOUNT NO. = 08-0816076076
 DEED REFERENCE = 8066 / 483
 PLAT REFERENCE = YORKSHIRE 7/21
 TAX MAP 60 GRID 12 PARCEL 579

GERARD BUILDING

AREA OF TRACT = 0.871 ACRES
 EXISTING ZONING = R-O
 PROPOSED USE = OFFICES
 TAX ACCOUNT NO. = 08-0805043206
 DEED REFERENCE = 10840 / 639
 PLAT REFERENCE = YORKSHIRE 7/21
 TAX MAP 60 GRID 12 PARCEL 579

OWNERS

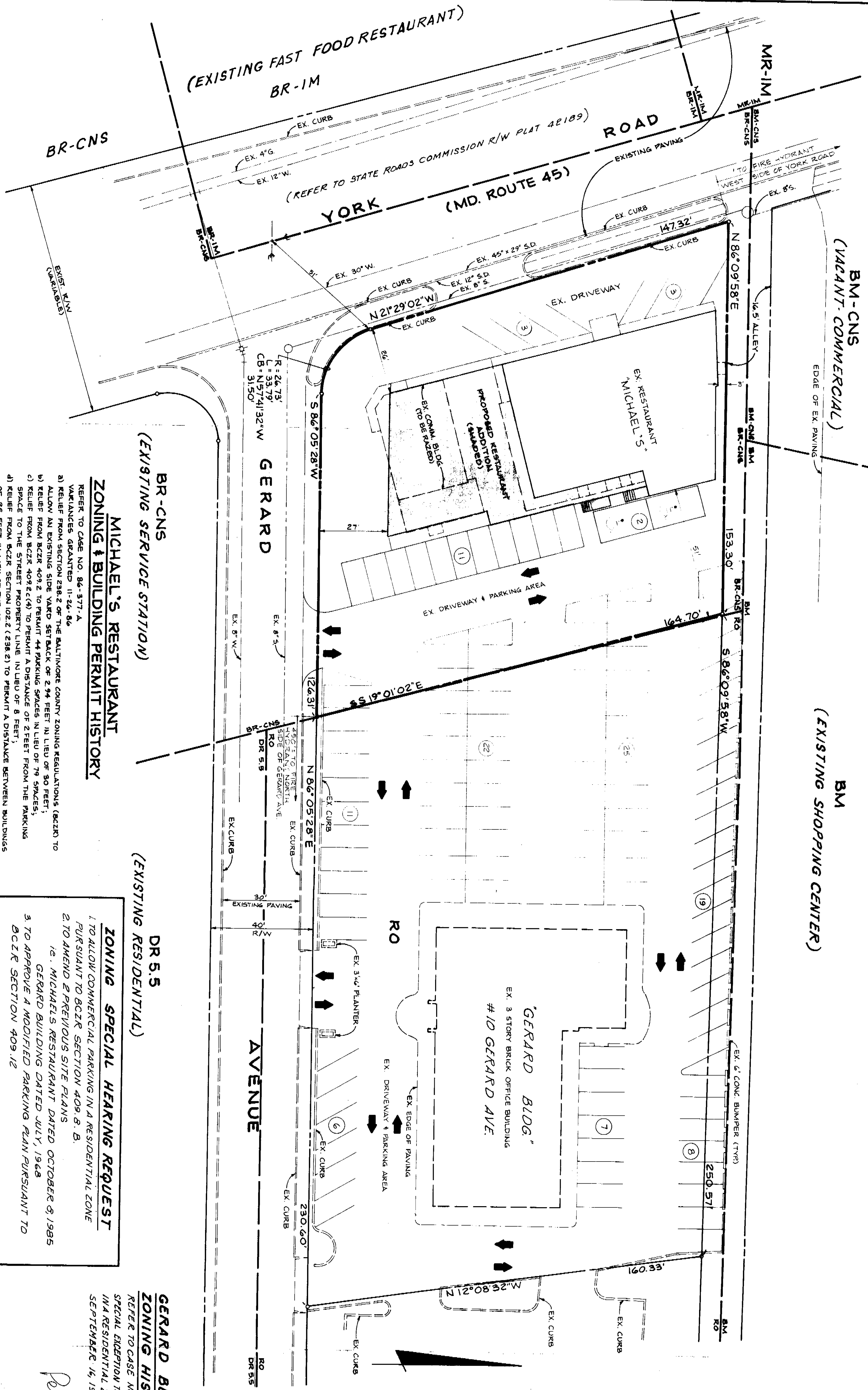
GERARD ASSOCIATES L.L.C.
 P.O. 4127
 TIMONUM, MD. 21094-4127
 (GERARD BLDG.)
 AND
 MARCELLA & MICHAEL S. DELLIS
 2119 YORK ROAD
 TIMONUM, MD. 21093
 (MICHAEL'S RESTAURANT)

SPELLMAN, LARSON ASSOCIATES, INC.

CIVIL ENGINEERS AND LAND SURVEYORS
 SUITE 109, JEFFERSON BLDG., TOMSON, MD., 21204
 PHONE 823-3535

PLAT TO ACCOMPANY ZONING PETITION

MICHAEL'S RESTAURANT
 2119 YORK ROAD
GERARD BUILDING
 #10 GERARD AVENUE



BR-CNS (EXISTING SERVICE STATION)
MICHAEL'S RESTAURANT ZONING & BUILDING PERMIT HISTORY

REFER TO CASE NO. 86-377-A VARIANCES GRANTED 11-26-86

- RELIEF FROM SECTION 288.2 OF THE BALTIMORE COUNTY ZONING REGULATIONS (SECTION 2) ALLOW AN EXISTING SIDE YARD SET BACK OF 2.94 FEET IN LIEU OF 30 FEET.
- RELIEF FROM BCZR 409.2 TO PERMIT 44 PARKING SPACES IN LIEU OF 79 SPACES.
- RELIEF FROM BCZR 409.2(4) TO PERMIT A DISTANCE OF 2 FEET FROM THE PARKING SPACE TO THE STREET PROPERTY LINE IN LIEU OF 8 FEET.
- RELIEF FROM BCZR SECTION 102.2 (238.2) TO PERMIT A DISTANCE BETWEEN BUILDINGS OF 25 FEET IN LIEU OF THE REQUIRED MAXIMUM OF 60 FEET. AND
- RELIEF FROM SECTION 298.1 TO PERMIT THE DISTANCE TO CENTER LINE OF SIDE STREET OF 42 FEET IN LIEU OF 50 FEET.

DR 5.5 (EXISTING RESIDENTIAL)
ZONING SPECIAL HEARING REQUEST

- TO ALLOW COMMERCIAL PARKING IN A RESIDENTIAL ZONE PURSUANT TO BCZR SECTION 409.8.B.
- TO AMEND 2 PREVIOUS SITE PLANS
- TO APPROVE A MODIFIED PARKING PLAN PURSUANT TO BCZR SECTION 409.12

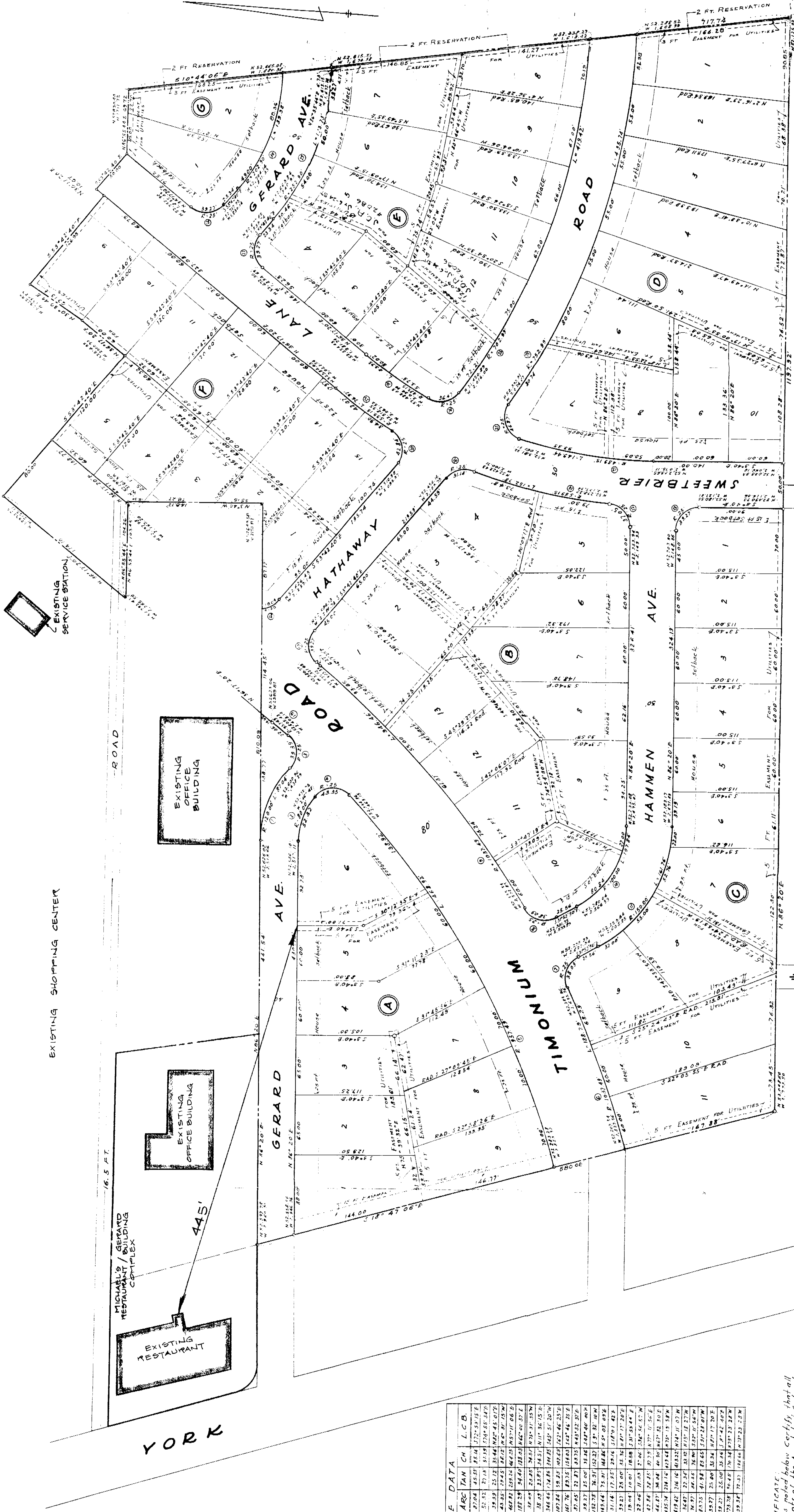
GERARD BUILDING ZONING HISTORY

REFER TO CASE NO. 69-68-X SPECIAL EXCEPTION TO ALLOW OFFICES IN A RESIDENTIAL ZONE. GRANTED SEPTEMBER 16, 1968



8TH ELECTION DISTRICT
 SCALE: 1" = 30'
 DATE: 12-07-94
 DES. BY: JMK
 DWN. BY: JMK
 SHT. 1 OF 1
 BALTIMORE CO., MD.
 94016

95-221-57A



CL 22 FOLIO 25
 Return for Record
 JUL 27 1955 at 8 AM
 Office of the Clerk of the Circuit Court
 Baltimore, Md.

RESUBDIVISION PLAT
 PART OF SECTIONS A-B & C
YORKSHIRE
 AND
 PART OF
HAVERFORD
 BALTIMORE COUNTY, MD. ELECT. DIST. N 8
 SCALE 1" = 50 FT.
 MAY 1954

MICROFILMED

EXISTING SHOPPING CENTER

EXISTING OFFICE BUILDING

EXISTING OFFICE BUILDING

EXISTING RESTAURANT
 MICHAEL'S RESTAURANT / BUILDING COMPLEX

CURVE DATA

NO	RAD	Δ	ARC	TAN	CH	L.C.B.
1	12000	40°38'29"	3704	4559	5818	3727-5318 E
2	2000	37°28'12"	52.32	27.18	57.18	5718-5818 S
3	2500	30°16'56"	38.39	22.12	38.44	5818-5918 S
4	2500	30°16'56"	38.39	22.12	38.44	5918-6018 S
5	2500	30°16'56"	38.39	22.12	38.44	6018-6118 S
6	10714.8	10°25'51"	1872.29	54.40	1872.29	6118-6218 S
7	2500	30°16'56"	38.39	22.12	38.44	6218-6318 S
8	2500	30°16'56"	38.39	22.12	38.44	6318-6418 S
9	10374.9	10°25'51"	1872.29	54.40	1872.29	6418-6518 S
10	2500	30°16'56"	38.39	22.12	38.44	6518-6618 S
11	15000	6°47'10"	1078.84	28.45	1078.84	6618-6718 S
12	2500	30°16'56"	38.39	22.12	38.44	6718-6818 S
13	2500	30°16'56"	38.39	22.12	38.44	6818-6918 S
14	2500	30°16'56"	38.39	22.12	38.44	6918-7018 S
15	429.15	171°39'17"	145.64	75.31	145.64	7018-7118 S
16	2500	30°16'56"	38.39	22.12	38.44	7118-7218 S
17	2500	30°16'56"	38.39	22.12	38.44	7218-7318 S
18	2500	30°16'56"	38.39	22.12	38.44	7318-7418 S
19	2500	30°16'56"	38.39	22.12	38.44	7418-7518 S
20	2500	30°16'56"	38.39	22.12	38.44	7518-7618 S
21	2500	30°16'56"	38.39	22.12	38.44	7618-7718 S
22	2500	30°16'56"	38.39	22.12	38.44	7718-7818 S
23	2500	30°16'56"	38.39	22.12	38.44	7818-7918 S
24	2500	30°16'56"	38.39	22.12	38.44	7918-8018 S
25	2500	30°16'56"	38.39	22.12	38.44	8018-8118 S
26	2500	30°16'56"	38.39	22.12	38.44	8118-8218 S
27	2500	30°16'56"	38.39	22.12	38.44	8218-8318 S
28	2500	30°16'56"	38.39	22.12	38.44	8318-8418 S
29	2500	30°16'56"	38.39	22.12	38.44	8418-8518 S
30	2500	30°16'56"	38.39	22.12	38.44	8518-8618 S

OWNER'S CERTIFICATE
 The signatures and seals below certify that all the requirements of the Annotated Code of Maryland Chapter 106, Act of 1945 have been complied with on this plat.
 Signed: *James H. ...*
 2321 Rose Drive
 Baltimore 7, Md.

CERTIFICATION:
 Certification is hereby made that this plat was compiled in accordance with the requirements of Section 106 of the Annotated Code of Maryland (Act of 1945).
 Signed: *James H. ...*
 Director

Approved as to alignment and location of streets
 Signed: *James H. ...*
 Director
 Approved by Baltimore County Planning Commission
 Signed: *James H. ...*
 Director

NOTE:
 The streets and/or points of change herein and the description of the roads are for the purpose of being recorded in the public use. The description of the roads is not to be construed as a grant of title to the lands therein, it is expressly reserved in this plat. The names of the streets and the names of the owners of the lands are not to be construed as a grant of title to the lands therein, it is expressly reserved in this plat.
 NOTE:
 Coordinates are relative to the corner of Baltimore County, Md. in the District.

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
 NE/S York Road at Gerard Avenue * DEPUTY ZONING COMMISSIONER
 (2119 York Road) * OF BALTIMORE COUNTY
 8th Election District *
 3rd Councilmanic District *
 Michael Dellis, et al * Case No. 95-221-SPH
 Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing for that property known as 2119 York Road, in the vicinity of Timonium. The Petition was filed by the owners of the property, Michael and Marcella Dellis, and the Contract Purchaser/Lessee, Dining Out Enterprises, Inc., by Michael Dellis, President, through their attorney, Charles E. Brooks, Esquire. The Petitioners request a special hearing to approve the following: 1) commercial parking in a residential zone, pursuant to Section 409.8.B of the Baltimore County Zoning Regulations (B.C.Z.R.); 2) an amendment to the previously approved site plans in Case No. 86-377-A, dated October 8, 1985, and in Case No. 69-68-X for the Gerard Building, dated July, 1968; and, 3) a modified parking plan, pursuant to Section 409.12 of the B.C.Z.R. The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Michael Dellis, property owner, Joseph Larson, Professional Engineer, and Charles E. Brooks, Esquire, attorney for the Petitioners. Appearing as concerned citizens in the matter were several residents from the surrounding residential area, all of whom signed the Citizen's Sign-In Sheet.

MICROFILMED

ORDER RECEIVED FOR FILING
 Date 2/13/95
 By [Signature]

Testimony and evidence offered revealed that the subject property consists of 0.55 acres, more or less, zoned B.R.-C.N.S., and is located on the northeast corner of York Road at Gerard Avenue in Timonium. The property is improved with a 4,660 sq.ft. building, known as Michael's Restaurant, with an additional building used as an automotive service shop, known as Safelight Auto Glass. The Petitioners are desirous of expanding the existing restaurant dining room area to provide additional seating space. Testimony indicated the Petitioners intend to raze the Safelight Auto Glass building and construct the proposed addition in its place. The proposed improvements are more particularly described on the site plan prepared by Spellman, Larson and Associates, Inc. which was submitted into evidence as Petitioner's Exhibit 1. Testimony indicated that the proposed expansion to Michael's is for restaurant seating, only, and that the Bar area will not be expanded.

Further testimony revealed that the owners of the property have entered into a shared parking agreement with the owner of the adjoining property on which the Gerard Office Building is located. As a result of this shared parking agreement, the parking calculations for Michael's Restaurant and the Gerard Building were adjusted accordingly, pursuant to the B.C.Z.R., and as set forth on Petitioner's Exhibit 1. Pursuant to the special hearing relief requested herein, the Petitioners have requested that the parking plan depicted on the site plan be approved. Furthermore, inasmuch as the property on which the Gerard Building is located is zoned R.O., the Petitioners seek approval by way of a special hearing request to permit commercial parking in a residential zone. Lastly, the Petitioners seek an amendment to the previously approved site plans to update existing improvements on the site, pursuant to the relief granted herein.

ORDER RECEIVED FOR FILING
 Date 2/13/95
 By [Signature]

As noted earlier, several citizens from the surrounding locale attended the hearing. The testimony offered by those residents who testified was that they support the proposed expansion of the restaurant use, but wish the use to be restricted in an appropriate fashion. The residents suggested that landscaping be provided both for Michael's restaurant as well as the Gerard Building. Testimony indicated that landscaping is insufficient for both properties and that a landscape plan should be submitted to Baltimore County for review and approval. Of particular interest to the residents of Gerard Avenue was the need for additional landscaping along the Gerard Building parking lot and Gerard Avenue. Testimony revealed that the headlights from automobiles pulling into the parking spaces along Gerard Avenue tend to shine into the residences on the south side of Gerard Avenue and that existing landscaping in this area should be buttressed to eliminate this glare. After further discussion on this issue, it was determined that increasing the vegetation in this area and providing a small, board-on-board fence along the interior of the hedgerow would prevent the glare of headlights of oncoming vehicles from shining into their homes. This fence shall be no higher than the hedgerow that exists along Gerard Avenue, so as to provide proper screening without being an eyesore to the community or creating a sight distance problem. Furthermore, the residents requested that the dumpster utilized by Michael's Restaurant be properly screened from view. This issue will be addressed by virtue of the landscape plan which will be required as a condition of approval.

Further testimony offered by the residents of Gerard Avenue indicated that there currently exists a parking problem on their street. Mr. Herbert Thomas testified that on several occasions, individuals who patronize either Michael's Restaurant or the Gerard Building, have parked on

ORDER RECEIVED FOR FILING
 Date 2/13/95
 By [Signature]

Gerard Avenue and blocked the driveway to his home. Testimony indicated that this has happened to other residents along Gerard Avenue. Mr. Thomas suggested that "no parking" signs be erected on his side (or south side) of Gerard Avenue. In fact, there currently exist "no parking" signs on the north side of Gerard Avenue. However, it was suggested that these signs be switched so that there would be no parking permitted on the south side of Gerard Avenue. Doing so would allow Gerard Avenue to be utilized for parking purposes without having a detrimental effect on residents who reside on the south side of Gerard Avenue. It would also stop individuals from blocking the driveways of those residents on the south side of Gerard Avenue. I advised Mr. Thomas that this Office would investigate this issue with the Department of Traffic Engineering to determine whether or not the "no parking" signs in question can be switched. Having voiced their concerns over the use of the subject site, the residents in attendance indicated their support of the proposed addition.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 13th day of February, 1995 that the Petition for

ORDER RECEIVED FOR FILING
 Date 2/13/95
 By [Signature]

Special Hearing seeking approval as follows: to permit commercial parking in a residential zone, pursuant to Section 409.8.B of the B.C.Z.R.; an amendment to the previously approved site plan in Case No. 86-377-A dated October 8, 1985, and the site plan approved for the Gerard Building in Case No. 69-68-X, dated July, 1968; and a modified parking plan pursuant to Section 409.12 of the B.C.Z.R., in accordance with Petitioner's Exhibit 1, as revised on January 18, 1995, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Within thirty (30) days of the date of this Order, the Petitioners shall submit a landscape plan for review and approval by the Landscape Architect for Baltimore County. Besides the requirements of the Landscape Architect, said plan shall also provide the following: 1) Adequate landscaping and screening of the dumpster used by Michael's Restaurant; 2) fortify the existing hedgerow along Gerard Avenue to block the headlights of oncoming vehicles from shining into the residences on the south side of Gerard Avenue. This fortification shall require additional vegetation and, if deemed appropriate by the Landscape Architect, a small, board-on-board fence, no greater in height than the existing hedgerow. This fence will be obscured from view but will serve to screen the headlights of oncoming vehicles from view by those residents along the south side of Gerard Avenue; 3) The proposed addition to Michael's shall be screened to the extent possible in the appropriate area to buffer its use from adjoining residential properties; and, 4) landscaping of the subject site shall include both the subject site and the adjoining property on which the Gerard Building is located. A copy of the approved landscape plan shall be submitted to the Zoning Administration and Development Management (ZADM) office prior to the issuance of any building permits.
- 3) All parking lot lighting and any lighting associated with the subject restaurant shall be directed down and away from adjoining residential properties.

MICROFILMED

ORDER RECEIVED FOR FILING
 Date 2/13/95
 By [Signature]

4) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

Timothy M. Kotrocc
 TIMOTHY M. KOTROCC
 Deputy Zoning Commissioner
 for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
 Date 2/13/95
 By [Signature]

MICROFILMED

Baltimore County Government
 Zoning Commissioner
 Office of Planning and Zoning

Suite 112 Courthouse
 400 Washington Avenue
 Towson, MD 21204

February 13, 1995

(410) 887-4386

Charles E. Brooks, Esquire
 610 Bosley Avenue
 Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
 NE/S York Road at Gerard Avenue
 (2119 York Road)
 8th Election District - 3rd Councilmanic District
 Michael Dellis, et al - Petitioners
 Case No. 95-221-SPH

Dear Mr. Brooks:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy M. Kotrocc
 TIMOTHY M. KOTROCC
 Deputy Zoning Commissioner
 for Baltimore County

TMK:bjs

- cc: Mr. Michael Dellis, President
 Dining Out Enterprises, Inc., 2119 York Road, Timonium, Md. 21093
- Mr. Joseph Larson, Spellman, Larson & Assoc., Inc.
 Jefferson Bldg., Suite 109, Towson, Md. 21204
- Mr. Eric Rockel
 1610 Riderwood Drive, Timonium, Md. 21093
- People's Counsel: File

Printed with Soybean Ink
 on Recycled Paper

215
Petition for Special Hearing
 to the Zoning Commissioner of Baltimore County
 for the property located at 2119 York Road, Timonium, Maryland 21093
 which is presently zoned BR-CNS

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owners of the property, hereby petition for a Special Hearing under Section 509.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

- A request:
1. To allow commercial parking in a residential zone pursuant to RCZP Section 409.8.B
 2. To amend 2 previous Site Plans i.e. Michael's Restaurant dated October 8, 1985 Gerard Building dated July, 1993
 3. To approve a modified parking plan pursuant to RCZR Section 409.12

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Owner
 Dining Out Enterprises, Inc.
 By: *Michael Dellis*
 Signature: Michael Dellis, President
 2119 York Road
 Timonium Maryland 21093
 City State Zip

Legal Owner:
 Michael Dellis
 Marcella Dellis
 2119 York Road 252-2022
 Timonium Maryland 21093
 City State Zip

Attorney for Petitioner
 Charles E. Brooks, Esquire
 610 Bosley Avenue 286-2600
 Towson Maryland 21204
 City State Zip

ESTIMATED LENGTH OF HEARING: _____
 ALL INFORMATION TO BE FURNISHED TO THE ZONING COMMISSIONER
 RECEIVED BY: _____ DATE: _____

DROP OFF
No REVIEW
12-15-94
WCR

SIGNATURES CONTINUED

ORDER RECEIVED FOR FILING
 Date 2/13/95
 By [Signature]

215

SPELLMAN, LARSON & ASSOCIATES, INC.

ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON
JO ANN W. ROGGE

SUITE 109 - JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
TEL (410) 823-3535
FAX (410) 825-5215

95-221-SPH

DESCRIPTION FOR ZONING NO. 10 GERARD AVENUE, 8TH DISTRICT,
BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the north side of Gerard Avenue, 40 feet wide, the distance of 126.31 feet measured easterly along the north side of Gerard Avenue from the fillet curve connecting the north side of Gerard Avenue and the northeast side of York Road as widened and as shown on State Roads Commission Right-of-Way Plat No. 42189 and running thence and binding on the north side of Gerard Avenue north 86 Degrees 05 Minutes 28 Seconds east 230.60 feet thence leaving the north side of Gerard Avenue and running north 12 Degrees 08 Minutes 32 Seconds west 160.33 feet to the south side of a 16.5 foot alley running thence and binding on the south side of said alley south 86 Degrees 09 Minutes 58 Seconds west 250.57 feet thence leaving the south side of said alley and running south 19 Degrees 01 Minutes 02 Seconds east 164.70 feet to the place of beginning.

Containing 0.87 acres of land, more or less.

09/29/94

95-221-SPH

RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN • LAND SURVEYING
LAND PLANNING • SUBDIVISION LAYOUT • FEASIBILITY STUDIES • ESTIMATING
GRADING STUDIES • LOCATION SURVEYS • TECHNICAL CONSULTATION

215

SPELLMAN, LARSON & ASSOCIATES, INC.

ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON
JO ANN W. ROGGE

SUITE 109 - JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
TEL (410) 823-3535
FAX (410) 825-5215

95-221-SPH

DESCRIPTION FOR ZONING MICHAEL'S RESTAURANT PROPERTY, YORK
ROAD AND GERARD AVENUE, 8TH DISTRICT, BALTIMORE COUNTY,
MARYLAND

Beginning for the same at a point on the north side of Gerard Avenue, 40 feet wide, at the beginning of the fillet connecting the north side of Gerard Avenue with the north east side of York Road, as widened, and as shown on State Road Commission Right-of-Way Plat No. 42189 and running thence and binding on said fillet curve northwesterly by curve to the right with a radius of 26.73 feet the distance of 23.78 feet (the chord of the arc bears north 57 Degrees 41 Minutes 02 Seconds west 21.50 feet) to the north east side of York Road herein referred to running thence and binding on the north east side of York Road north 21 Degrees 29 Minutes 02 Seconds west 147.32 feet to the south side of a 16.5 foot alley thence leaving the north east side of York Road and binding on the south side of said alley north 86 Degrees 09 Minutes 58 Seconds east 403.87 feet thence leaving the south

Containing 1.42 acres of land, more or less.

12/06/94

95-221-SPH

RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN • LAND SURVEYING
LAND PLANNING • SUBDIVISION LAYOUT • FEASIBILITY STUDIES • ESTIMATING
GRADING STUDIES • LOCATION SURVEYS • TECHNICAL CONSULTATION

215

SPELLMAN, LARSON & ASSOCIATES, INC.

ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON
JO ANN W. ROGGE

SUITE 109 - JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
TEL (410) 823-3535
FAX (410) 825-5215

95-221-SPH

DESCRIPTION FOR ZONING MICHAEL'S RESTAURANT PROPERTY, YORK
ROAD AND GERARD AVENUE, 8TH DISTRICT, BALTIMORE COUNTY,
MARYLAND

Beginning for the same at a point on the north side of Gerard Avenue, 40 feet wide, at the beginning of the fillet connecting the north side of Gerard Avenue with the north east side of York Road, as widened, and as shown on State Road Commission Right-of-Way Plat No. 42189 and running thence and binding on said fillet curve northwesterly by curve to the right with a radius of 26.73 feet the distance of 23.78 feet (the chord of the arc bears north 57 Degrees 41 Minutes 02 Seconds west 21.50 feet) to the north east side of York Road herein referred to running thence and binding on the north east side of York Road north 21 Degrees 29 Minutes 02 Seconds west 147.32 feet to the south side of a 16.5 foot alley thence leaving the north east side of York Road and binding on the south side of said alley north 86 Degrees 09 Minutes 58 Seconds east 403.87 feet thence leaving the south

Containing 1.42 acres of land, more or less.

12/06/94

95-221-SPH

RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN • LAND SURVEYING
LAND PLANNING • SUBDIVISION LAYOUT • FEASIBILITY STUDIES • ESTIMATING
GRADING STUDIES • LOCATION SURVEYS • TECHNICAL CONSULTATION

Contract Purchaser/Lessee:

Type of Print Name:

Signature:

Address:

City State Zipcode:

Legal Owner:

Gerard Associates, LLC

By: *Lawrence J. Thanner, Jr.*

Lawrence J. Thanner, Jr., Manager

Address:

City State Zipcode:

Attorney for Petitioner:

Charles E. Brooks, Esquire

610 Rosley Avenue 296-2600

Towson, Maryland 21204

95-221-SPH

receipt

95-221-SPH

Zoning Administration & Development Management

111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R 001-6190

Number: 215

Date: 12/15/94

DROFF-OFF — NO REVIEW

#040 - SPECIAL HEARING _____ \$250.00
#040 - SIGN POSTING (2 @ \$35) _____ 70.00
TOTAL _____ \$320.00

Legal Owner: Michael Dellis & Marcella Dellis & Gerard Associates, LLC
Contract Purchaser: Dining Out Enterprises, Inc.
10 Gerard Avenue & 2119 York Road — Michael's Restaurant
Zoning: R.O. (Gerard Avenue) & B.R.-C.N.S. (York Road)
Acreage: .87 +/- acres (Gerard Avenue) & 1.42 +/- acres (York Road)
8th Election District
Attorney: Charles E. Brooks

Checks from Dining Out Enterprises, Inc.
01A01B0051M1C \$320.00
EA COR:54AM12-15-94

Please Make Checks Payable To: Baltimore County

Cashier Validation:

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 8th Date of Posting: 12/27/94

Posted for: *Special Hearing*

Petitioner: *Michael's Restaurant - Dining Out Enterprises, Inc.*

Location of property: *10 Gerard Avenue, 2119 York Rd.*

Location of Signs: *Signs on property being zoned*

Remarks:

Posted by: *Michael's* Date of return: 12/30/94

Number of Signs: 1

TO: PUTNEM PUBLISHING COMPANY
December 29, 1994 Issue - Jeffersonian

Please forward billing to:

Charles E. Brooks, Esq.
610 Rosley Avenue
Towson, Maryland 21204
410-296-2600

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-221-SPH (Item 215)
10 Gerard Avenue and 2119 York Road -- Michael's Restaurant
8th Election District - 3rd Councilmanic
Legal Owner(s): Michael Dellis, Marcella Dellis, and Gerard Associates, LLC
Contract Purchaser(s): Dining Out Enterprises, Inc.
HEARING: WEDNESDAY, JANUARY 25, 1995 at 11:00 a.m. in Room 118, Old Courthouse.

Special Hearing to allow commercial parking in a residential zone; to amend 2 previous site plans (Michael's Restaurant dated 10/8/95 and Gerard Building dated 7/68); and to approve a modified parking plan.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARINGS, PLEASE CALL 887-3351.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

DECEMBER 22, 1994
NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-221-SPH (Item 215)
10 Gerard Avenue and 2119 York Road -- Michael's Restaurant
8th Election District - 3rd Councilmanic
Legal Owner(s): Michael Dellis, Marcella Dellis, and Gerard Associates, LLC
Contract Purchaser(s): Dining Out Enterprises, Inc.
HEARING: WEDNESDAY, JANUARY 25, 1995 at 11:00 a.m. in Room 118, Old Courthouse.

Special Hearing to allow commercial parking in a residential zone; to amend 2 previous site plans (Michael's Restaurant dated 10/8/95 and Gerard Building dated 7/68); and to approve a modified parking plan.

Carl Jahn
Arnold Jahn
Director

cc: Michael and Marcella Dellis
Charles E. Brooks, Esq.

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARINGS, CONTACT THIS OFFICE AT 887-3351.

Printed with Recycled Ink on Recycled Paper

CERTIFICATE OF PUBLICATION

TOWSON, MD, Dec 30, 1994

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Dec 29, 1994

THE JEFFERSONIAN,

A. Henrikson
LEGAL AD. - TOWSON

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations please call 887-3353.
(2) For information concerning the file and/or hearing, please call 887-3351.
12/29/94 December 29.

receipt

95-221-SPH

Zoning Administration & Development Management

111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R 001-6190

Number: 215 (MCR)

Date: 1/20/95

DROFF-OFF REVISIONS - NO REVIEW

#110 - REVISIONS _____ \$100.00

Legal Owner: Michael Dellis & Marcella Dellis & Gerard Associates, LLC
Contract Purchaser: Dining Out Enterprises, Inc.
10 Gerard Avenue & 2119 York Road
8th Election District
Attorney: Charles E. Brooks

Check from:
Law Offices of Charles E. Brooks

01A01B0051M1C \$100.00
EA COR:09AM01-23-95

Please Make Checks Payable To: Baltimore County

Cashier Validation:

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 013458

DATE: 1/31/96 AMOUNT: 001-6150

AMOUNT: \$40.00 (MCR)

RECEIVED FROM: Law Offices of Charles E. Brooks

\$710 - VERIFICATION
Michael's Cafe/Gerard Bldg.

FOR: COMPLIANCE DIVISION \$40.00
ON CASE# 221988-21-95

RECEIVED ON BEHALF OF COMMISSIONER OF FINANCE

January 19, 1995

Charles E. Brooks, Esquire
610 Bosley Avenue
Towson, Maryland 21204

RE: Item No.: 215
Case No.: 95-221-SPH
Petitioner: Michael Dellis, et ux.

Dear Mr. Brooks:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by the Office of Zoning Administration and Development Management (ZADM), Development Control Section on December 15, 1994.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,
W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Jan. 4, 1995
Zoning Administration and Development Management

FROM: *Pub* Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for January 3, 1995
Item No. 215

The Developers Engineering Section has reviewed the subject zoning item. The permit for the addition is subject to the Landscape Manual to the extent possible.

In addition, the six (6) existing parking spaces along York Road shall be changed to parallel spaces.

RWB:sw

1-19-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 215 (WCR)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval if it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

DATE: 02/22/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MPL: BTPH-1105

RE: Robert, Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF DEC. 15, 1994

Item No.: SEE BELOW Zoning Agenda:

Reference:

1. Pursuant to your request, the referenced property has been surveyed by the Bureau and the chemical bulk and applicable and required to be adopted or incorporated into the final plans for the property.

2. The Fire Department Office has no comments at this time.
3. REFERENCE TO THE FOLLOWING ITEM NUMBER: 208, 209, 210, 211, 212, 213, 214, 215.

RECEIVED
JAN 8 1995
ZADM

REVIEWER: LT. ROBERT P. SKERKOVIC
Fire Marshal Office, FIRE DEPARTMENT, BALTIMORE

001-116

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BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM
FROM: DEPRM
Development Coordination
SUBJECT: Zoning Advisory Committee
Agenda: Dec. 27, 1994

DATE: 1/19/95

The Department of Environmental Protection & Resource Management has ^(no) comments for the following Zoning Advisory Committee Items:

- Item #'s: 208
210
212
213
214
215
216

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: December 21, 1994
Zoning Administration and
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has ^(no) comments on the following petition(s):

Item Nos. 207, 209, 210, 212, 214, and 215

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey W. Long*
Division Chief: *Carol Keno*

PK/JL

ITEM207/PBONE/TXTSBL

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
10 Gerard Avenue and 2119 York Road * ZONING COMMISSIONER
NE/S York Rd (MD Route 45), corner * OF BALTIMORE COUNTY
N/S Gerard Ave, 8th Election Dist., *
3rd Councilmanic * CASE NO. 95-221-SPH
Michael & Marcella Dellis, et al. *
Petitioners *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of January, 1995, a copy of the foregoing Entry of Appearance was mailed to Charles E. Brooks, Esquire, 610 Bosley Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: The Honorable Douglas B. Riley
Councilman, Fourth District
FROM: Stephen E. Weber, P.E., Chief
Division of Traffic Engineering
SUBJECT: Gerard Avenue - "No Parking"

DATE: March 9, 1995

This is in response to the recommendation of relocating the present "No Parking" restriction along the north side of Gerard Avenue to the south side.

We would have no objection to the recommended proposal since the number of on-street parking spaces remains basically the same. We would, however, request the full cooperation of the three residential properties fronting Gerard Avenue.

Since you have had previous contact with the residents regarding this request, I am asking if it is feasible for you to determine if there is a consensus of opinion as to where the parking should be located. Once that consensus is reached, please contact our office so that we can expedite the necessary parking changes, if required. Should you have any questions, please contact Mr. Mark Gonca at ext. 3554.

SEW/MG/lvd

cc: Mr. Timothy Kotroco, Deputy Zoning Commissioner

RECEIVED
MAR 9 1995
ZONING COMMISSIONER

LS:sp

LETTYZ/DEPRM/TXTSBP



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

January 31, 1996

Charles E. Brooks, Esquire
Law Offices of Brooks & Spicer
610 Bosley Avenue
Towson, MD 21204

RE: Michael's Cafe/Gerard Building
2119 York Road
New Business Parking in
Residential Zone Petition
#86-377-A, #95-221-SPH
8th Election District

Dear Mr. Brooks:

Reference is made to your meeting with Arnold Jablon, Director of Permits and Development Management, and your letter dated January 16, 1996 which has been referred to me for reply. On behalf of your client, "Michael's", you have requested confirmation and/or certification of the zoning regulations applicable to additional business parking in a residential zone on the southside of Gerard Avenue. You have also stated that this proposed parking would be used by employees and not patrons.

Simply stated, Arnold Jablon verified the information provided by the zoning staff that a public hearing was required. Provided that all of the general requirements for parking in a residential zone are met, the application would include a variance to the RTA requirements and a special hearing for the parking use permit.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact John Lewis or myself at (410) 887-3391.

Very truly yours,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:scj

Baltimore County Government
Office of Zoning Administration
and Development Management

11 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

December 23, 1994

95-221-SPH

Charles E. Brooks, Esquire
Brooks and Spicer
610 Bosley Avenue
Towson, MD 21204

RE: Preliminary Petition Review (Item #215)
Legal Owner: Michael Dellis & Marcella Dellis &
Gerard Associates, LLC
Contract Purchaser: Dining Out Enterprises, Inc.
10 Gerard Avenue & 2119 York Road
8th Election District

Dear Mr. Brooks:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

1. Enlarge vicinity map to 1" = 500' or 1" = 1,000'.
2. Add right-of-way of York Road and dates of widening.
3. Add dimensions of existing and proposed buildings, additions.
4. Give date of original building and parking lot and get approval of Rahee Famili, Room 211, for parking spaces and traffic flow along York Road side of building (currently deficient aisle width for two-way traffic).
5. Show all signs and add note that they comply with Section 413 of the Baltimore County Zoning Regulations (BCZR) and all zoning policies.

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on Recycled Paper

Charles E. Brooks, Esquire
December 23, 1994
Page 2

6. Add Floor Area Ratio (FAR) calculations.
7. Correct number of spaces shown to 117 and surplus to 27.
8. Indicate paving type of all parking areas.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

John J. Sullivan, Jr.
John J. Sullivan, Jr.
Planner II

JJS:scj

Enclosure (receipt)

cc: Zoning Commissioner

LAW OFFICES
BROOKS & SPICER
610 BOSLEY AVENUE
TOWSON, MARYLAND 21204

CHARLES E. BROOKS
MALCOLM F. SPICER, JR.

January 16, 1996

Mr. Arnold Jablon, Director
Department of Permits and
Development Management
Baltimore County
County Office Building
Towson, Maryland 21204

RE: Michael's Cafe/Gerard Building
Job Number: 95019

Dear Mr. Jablon:

Attached herewith please find two (2) copies of the Site Development Plan for the above-captioned properties which are being submitted to you to accompany this request for a formal interpretation of the Baltimore County Zoning Regulations. As a supplement to the above Plans, please find two (2) copies of the Final Record Plat of Yorkshire/Haverford which I have modified to assist you in evaluating the request as contained herein.

Also attached please find our check for the standard processing fee of Forty Dollars (\$40.00).

The Michael's Cafe/Gerard Building Site is an integrated office/commercial complex which was the subject of a Zoning Hearing on January 25, 1995 and enjoys an approved Site Plan as a result of that formal hearing before the Zoning Commissioner.

We wish to herein make a formal request of your office to clarify the Baltimore County Zoning Regulations as they effect surplus commercial parking. This request involves the identification and evaluation of parking that is intended only as surplus parking which is not needed to support the floor area or any other requirement as covered in the Zoning Regulations.

The property owner upon recognizing the need to mitigate traffic congestion in the neighborhood intends to purchase Lot No. 6, Block A as shown on the Plat of Yorkshire/Haverford located at the corner of Gerard Avenue and

LAW OFFICES
BROOKS & SPICER
610 BOSLEY AVENUE
TOWSON, MARYLAND 21204

CHARLES E. BROOKS
MALCOLM F. SPICER, JR.

(410) 887-3300

TELEFAX
(410) 887-3370

February 16, 1995

Mr. John J. Sullivan, Jr.,
Planner II
Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Preliminary Revision Review (Item #215)
Zoning Case #95-221-SPH
Legal Owner: Michael Dellis & Marcella Dellis &
Gerard Associates, LLC
Contract Purchaser: Dining Out Enterprises, Inc.
10 Gerard Avenue & 2119 York Road
8th Election District

Dear Mr. Sullivan:

I am in receipt of and thank you for your letter of January 30, 1995 received in my offices on February 2, 1995.

Upon receipt of the same, I forwarded it to Mr. Joseph Larson of Spellman and Larson and asked him to review the same with you and I understand that you met with him during the week of February 13, 1995 and reviewed the now present status of this case. As a result of which, I have been advised by him that we may disregard your letter of January 30, 1995.

If for any reason I am mistaken in this assumption, it would be greatly appreciated if you would so advise.

Sincerely yours,

Charles E. Brooks
Charles E. Brooks

cc: Joseph L. Larson
Michael S. Dellis

RECEIVED
FEB 21 1995
ZADM

SPELLMAN LARSON
& ASSOCIATES, INC.
Suite 107 Jefferson Building
105 West Chesapeake Avenue
TOWSON, MARYLAND 21204

Phone 823-3535

Mr. Arnold Jablon, Director

Office of Zoning Administration

Baltimore County
County Office Bldg.
Towson MD 21204

LETTER OF TRANSMITTAL

DATE	Dec. 15, 1994	JOB NO.	94016
ATTENTION	Mr. John Lewis		
RE:	MICHAEL'S RESTAURANT		

WE ARE SENDING YOU Attached Under separate cover via _____ the following items:

- Shop drawings Prints Plans Samples Specifications
 Copy of letter Change order Documents

COPIES	DATE	NO.	DESCRIPTION
12	12/07/94	--	Plat to Accompany Zoning Petition
Orig.	12/15/94	--	Sign Posting Fee Check (\$70.00)

THESE ARE TRANSMITTED as checked below:

- For approval Approved as submitted Resubmit _____ copies for approval
 For your use Approved as noted Submit _____ copies for distribution
 As requested Returned for corrections Return _____ corrected prints
 For review and comment For Scheduling of a Special Hearing
 FOR BIDS DUE _____ 19 _____ PRINTS RETURNED AFTER LOAN TO US

REMARKS: Plans have been modified in accordance with your comments.

COPY TO: Brooks & Spicer
Michael Dellis

SIGNED: *Joseph L. Larson*
Joseph L. Larson

ENCLOSURE (SEE) No. _____, Date _____

If enclosures are not as noted, kindly notify us at once.

SPELLMAN LARSON
& ASSOCIATES, INC.
Suite 107 Jefferson Building
105 West Chesapeake Avenue
TOWSON, MARYLAND 21204

Phone 823-3535

Mr. Arnold Jablon, Director

Office of Zoning Administration

Baltimore County
County Office Bldg.
Towson MD 21204

LETTER OF TRANSMITTAL

DATE	1/18/95	JOB NO.	94016
ATTENTION	Mr. John Sullivan		
RE:	MICHAEL'S RESTAURANT		

WE ARE SENDING YOU Attached Under separate cover via _____ the following items:

- Shop drawings Prints Plans Samples Specifications
 Copy of letter Change order Documents

COPIES	DATE	NO.	DESCRIPTION
12	12/07/94	--	Plat to Accompany Zoning Petition (Rev. 01/16/95)
1	12/23/94	--	ZADM Comments
Orig.	01/18/95	--	\$100.00 Check for revision fee

THESE ARE TRANSMITTED as checked below:

- For approval Approved as submitted Resubmit _____ copies for approval
 For your use Approved as noted Submit _____ copies for distribution
 As requested Returned for corrections Return _____ corrected prints
 For review and comment For Scheduling of a Special Hearing
 FOR BIDS DUE _____ 19 _____ PRINTS RETURNED AFTER LOAN TO US

REMARKS:

COPY TO: Michael Dellis
Charles Brooks
Ron Clayton

SIGNED: *Joseph L. Larson*
Joseph L. Larson

ENCLOSURE (SEE) No. _____, Date _____

If enclosures are not as noted, kindly notify us at once.

RECEIVED
JAN 18 1995
ZADM

No	RAD	Δ	ARC TAN	CM	L.C.B.	
1	12.00	41° 53' 29"	27.04	45.51	85.14	S72° 53' 15" E
2	20.00	37° 28' 12"	57.37	77.14	114.19	T34° 55' 54" E
3	25.00	30° 16' 56"	19.39	25.12	35.44	N82° 45' 01" E
4	25.00	39° 21' 06"	43.35	79.45	86.12	N4° 31' 15" W
5	352.43	28° 03' 36"	168.92	239.54	464.55	N55° 11' 06" E
6	1037.43	10° 23' 53"	188.29	34.40	188.03	N66° 00' 57" E
7	25.00	37° 18' 10"	38.09	23.85	34.51	N75° 31' 53" E
8	25.00	37° 18' 10"	38.09	23.85	34.51	N11° 36' 15" E
9	1037.43	19° 08' 00"	346.46	174.86	346.25	N35° 51' 20" E
10	100.00	41° 47' 10"	107.84	59.83	102.63	S62° 46' 25" E
11	150.00	41° 47' 10"	161.76	89.75	154.03	S62° 46' 25" E
12	25.00	34° 54' 55"	37.05	22.87	33.75	N43° 52' 37" E
13	25.00	30° 00' 00"	19.27	25.00	35.36	S42° 40' 00" E
14	533.15	16° 14' 10"	152.78	36.91	152.27	S3° 32' 10" W
15	428.15	17° 30' 17"	149.44	35.81	148.86	N5° 05' 09" E
16	25.00	31° 21' 56"	31.14	17.95	29.16	S18° 01' 42" E
17	25.00	30° 00' 00"	19.27	25.00	35.36	N11° 17' 20" E
18	25.00	35° 31' 58"	19.04	10.01	10.88	S31° 53' 44" E
19	357.43	1° 19' 13"	22.06	11.93	21.06	S36° 56' 57" W
20	25.00	38° 40' 49"	42.84	22.45	37.74	N77° 11' 56" E
21	25.00	107° 24' 26"	46.87	36.04	46.30	N67° 32' 30" E
22	752.83	33° 03' 21"	425.24	234.14	423.68	N75° 15' 58" E
23	202.93	34° 11' 01"	119.42	216.16	413.32	N74° 11' 07" W
24	25.00	38° 36' 20"	36.97	22.34	33.42	N15° 18' 27" W
25	589.15	8° 10' 43"	76.97	38.55	76.90	S32° 11' 56" W
26	189.15	8° 10' 43"	24.75	11.98	24.65	S32° 11' 56" W
27	25.00	90° 00' 00"	39.27	25.00	39.36	N21° 17' 20" E
28	25.00	90° 00' 00"	39.27	25.00	39.36	S1° 42' 40" E
29	252.90	39° 21' 36"	173.28	50.45	170.34	N73° 28' 28" W
30	202.90	39° 21' 36"	139.34	71.37	136.66	N73° 28' 28" W

OWNER'S CERTIFICATE
 The signatures noted below certify that all the requirements of the Annotated Code of Maryland Chapter 1016, Acts of 1945 have been complied with on this plot

John Sauer 2321 Poplar Drive, BALTIMORE 7, MD.
Lewis Thompson
John Sauer Pres.

Approved by Baltimore County Health Department
William H. Warriner, MD
 Deputy State and County Health Officer
 Date March 4, 1955

CERTIFICATION:
 Certification is hereby made that the plat was computed by G. W. Stephens & Associates and that it meets the requirements of Section 72B, Article 17 of the Annotated Code of Maryland 1947 Supplement.

Approved as to alignment and location of streets
Paul J. Joyce July 20, 1955
 Public Engineer of Baltimore Co., Md.

Approved by Baltimore County Planning Commission
James H. Rice March 7, 1955
 Director

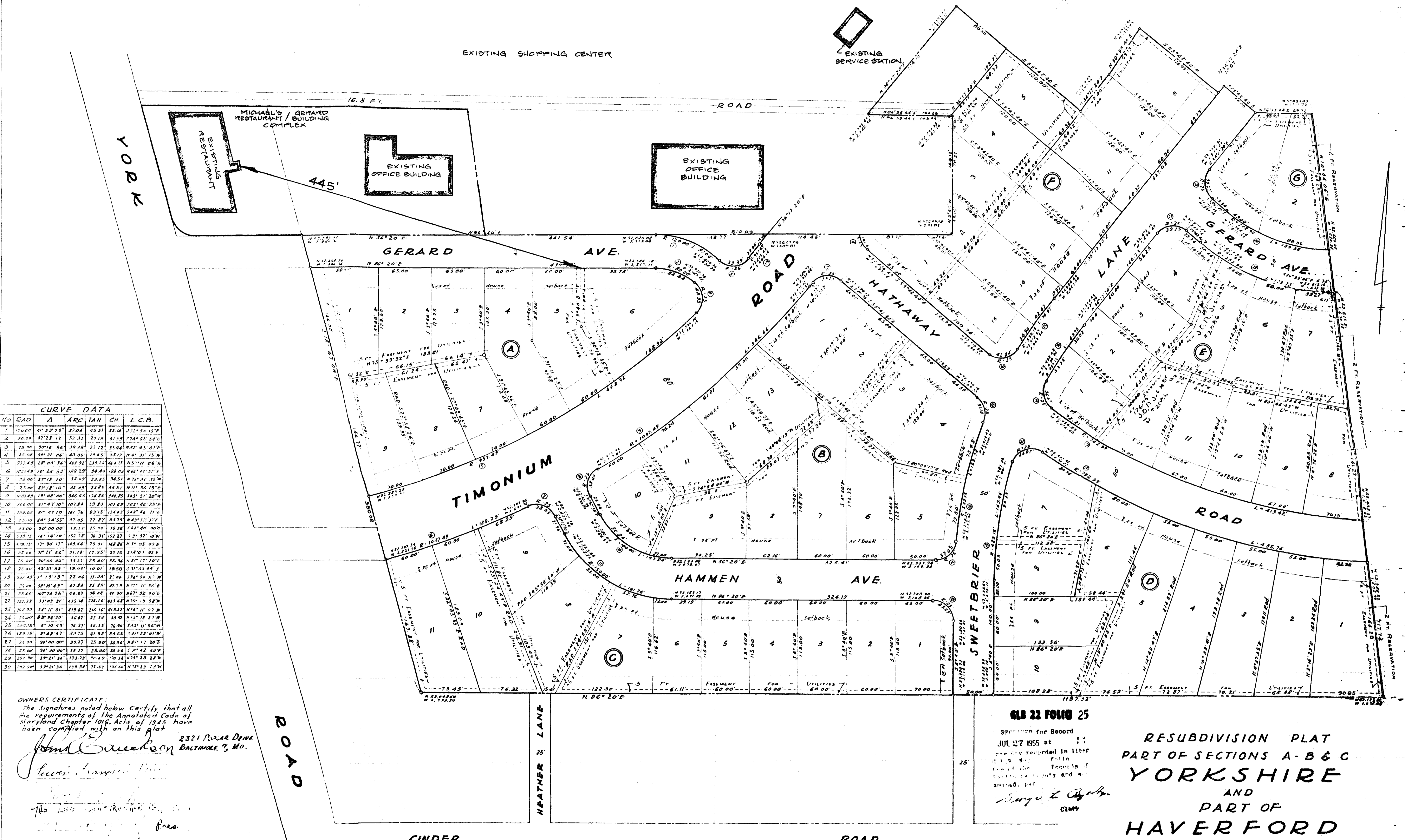
NOTE:
 The streets and/or roads as shown hereon and the mention thereof in deeds are for the purpose of description only and the same are not intended to be dedicated to public use. The fee simple title to the lands hereon is expressly reserved in the grantor of the deed to which this plat is attached, their heirs and assigns.

NOTE:
 Coordinates are related to traverse of Baltimore County Metropolitan District.

OLD 22 FOLIO 25
 RECORDED FOR RECORD
 JUL 27 1955 at
 County Record Office
 Baltimore County, Md.

George L. C. C. C.
 CLERK

**RESUBDIVISION PLAT
 PART OF SECTIONS A-B & C
 YORKSHIRE
 AND
 PART OF
 HAVERFORD
 BALTIMORE COUNTY, MD. ELECT. DIST. NO. 8
 SCALE 1 IN = 50 FT.
 MAY 1954**



PARKING CALCULATIONS

MICHAEL'S RESTAURANT PARKING CALCULATIONS

EXISTING SITE
 RESTAURANT = 4,660 sq ft $\frac{4,660}{1,000} \times 16 = 75$ SPACES

PROPOSED
 RESTAURANT ADDITION
 1ST FLOOR = 2,813 sq ft $\frac{2,813}{1,000} \times 16 = 45$ SPACES
 BASEMENT = 2,813 sq ft (NONE REQUIRED)

TOTAL PARKING REQUIRED = 120 SPACES

GERARD BLDG. PARKING CALCULATIONS

1ST FLOOR AREA = 6,420 sq ft
 PARKING REQUIRED = 1 SPACE/300 sq ft = $\frac{6,420}{300} = 22$ SPACES

2ND & 3RD FLOOR AREA = 12,840 sq ft
 PARKING REQUIRED = 1 SPACE/500 sq ft = $\frac{12,840}{500} = 26$ SPACES

TOTAL PARKING REQUIRED = 48 SPACES

COMBINED SITE PLAN SHARED PARKING CALCULATIONS

	WEEKDAY		WEEKEND		
	DAYTIME (6AM-6PM)	EVENING (6PM-MIDNIGHT)	DAYTIME (6AM-6PM)	EVENING (6PM-MIDNIGHT)	NIGHTTIME (MIDNIGHT-6AM)
OFFICE	100% = 48	10% = 4.8	10% = 4.8	5% = 2.4	5% = 2.4
RESTAURANT	50% = 60	100% = 120	100% = 120	100% = 120	10% = 12
THEREFORE PARKING REQUIRED BY SHARED PARKING CALCULATIONS	= 125 SPACES				
PARKING REDUCTION BY PREVIOUS VARIANCE (CASE NO. 86-377-A)	= 35 SPACES				
NET PARKING REQUIREMENTS	= 90 SPACES				
PARKING PROVIDED	= 118 SPACES				
PARKING SURPLUS	= 28 SPACES				

**SPECIAL NOTE: BCZR 409.B.B.2
 COMMERCIAL PARKING IN A RESIDENTIAL ZONE**

- THE LAND SO USED ADJOINS THE BUSINESS INVOLVED
- ONLY PASSENGER VEHICLES, EXCLUDING BUSES, MAY USE THE PARKING FACILITY
- NO LOADING, SERVICE, OR ANY USE OTHER THAN PARKING SHALL BE PERMITTED
- LIGHTING SHALL BE REGULATED AS TO LOCATION, DIRECTION, HOURS OF ILLUMINATION, GLARE, AND INTENSITY, AS REQUIRED
- A SATISFACTORY PLAN SHOWING PARKING ARRANGEMENT AND VEHICULAR ACCESS IS PROVIDED HEREON
- METHOD AND AREA OF OPERATION, PROVISION FOR MAINTENANCE AND PERMITTED HOURS OF USE ARE PROVIDED HEREON AND BY SUPPLEMENTAL DOCUMENTATION



VICINITY MAP
 SCALE: 1" = 2000'

SITE DATA

MICHAEL'S RESTAURANT

AREA OF TRACT = 0.55± ACRES
 EXISTING ZONING = BR-CNS
 EXISTING USE = RESTAURANT-AUTO SHOP
 PROPOSED USE = RESTAURANT
 TAX ACCOUNT NO. = 08-0816076076
 DEED REFERENCE = 3026/483
 PLAT REFERENCE = YORKSHIRE 7/21
 TAX MAP 60 GRID 12 PARCEL 579

GERARD BUILDING

AREA OF TRACT = 0.87± ACRES
 EXISTING ZONING = R-O
 EXISTING USE = OFFICES
 PROPOSED USE = OFFICES
 TAX ACCOUNT NO. = 08-0805043206
 DEED REFERENCE = 10840/639
 PLAT REFERENCE = YORKSHIRE 7/21
 TAX MAP 60 GRID 12 PARCEL 579

OWNERS

GERARD ASSOCIATES L.L.C.
 P.O. 4127
 TIMONIUM, MD. 21094-4127
 (GERARD BLDG.)
 AND
 MARCELLA & MICHAEL S. DELLIS
 2119 YORK ROAD
 TIMONIUM, MD. 21093
 (MICHAEL'S RESTAURANT)

REVISIONS

NO.	DATE	DESCRIPTION

215

SPELLMAN, LARSON & ASSOCIATES, INC.

CIVIL ENGINEERS AND LAND SURVEYORS
 SUITE 109, JEFFERSON BLDG., TOWSON, MD., 21204
 PHONE 823-3535

PLAT TO ACCOMPANY ZONING PETITION

MICHAEL'S RESTAURANT
 2119 YORK ROAD
GERARD BUILDING
 #10 GERARD AVENUE

GERARD BUILDING ZONING HISTORY

REFER TO CASE NO. 69-68-X
 SPECIAL EXCEPTION TO ALLOW OFFICES IN A RESIDENTIAL ZONE. GRANTED SEPTEMBER 14, 1968

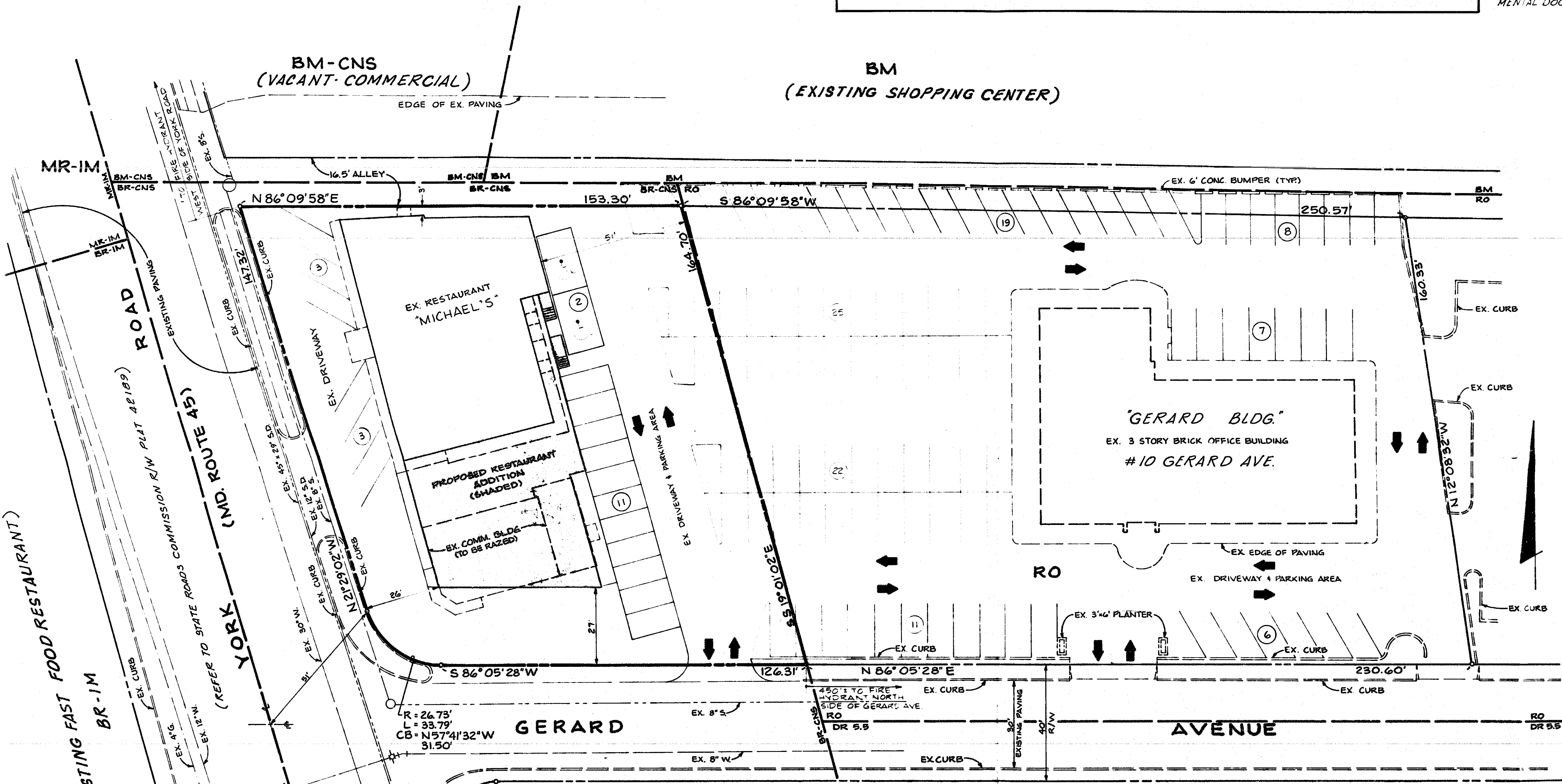
ZONING SPECIAL HEARING REQUEST

- TO ALLOW COMMERCIAL PARKING IN A RESIDENTIAL ZONE PURSUANT TO BCZR SECTION 409.B.B.
- TO AMEND 2 PREVIOUS SITE PLANS
 i.e. MICHAEL'S RESTAURANT DATED OCTOBER 3, 1985
 GERARD BUILDING DATED JULY, 1968
- TO APPROVE A MODIFIED PARKING PLAN PURSUANT TO BCZR SECTION 409.12

MICHAEL'S RESTAURANT ZONING & BUILDING PERMIT HISTORY

- REFER TO CASE NO. 86-377-A
 VARIANCES GRANTED 11-26-86
- RELIEF FROM SECTION 238.2 OF THE BALTIMORE COUNTY ZONING REGULATIONS (BCZR) TO ALLOW AN EXISTING SIDE YARD SETBACK OF 2.94 FEET IN LIEU OF 90 FEET;
 - RELIEF FROM BCZR 409.2 TO PERMIT 44 PARKING SPACES IN LIEU OF 79 SPACES;
 - RELIEF FROM BCZR 409.2c(4) TO PERMIT A DISTANCE OF 2 FEET FROM THE PARKING SPACE TO THE STREET PROPERTY LINE IN LIEU OF 8 FEET;
 - RELIEF FROM BCZR SECTION 102.2 (238.2) TO PERMIT A DISTANCE BETWEEN BUILDINGS OF 25 FEET IN LIEU OF THE REQUIRED MAXIMUM OF 60 FEET; AND
 - RELIEF FROM SECTION 238.1 TO PERMIT THE DISTANCE TO CENTER LINE OF SIDE STREET OF 42 FEET IN LIEU OF 90 FEET.

REFER TO PREVIOUS BUILDING PERMIT NO. B 00916



95-221-58A



PARKING CALCULATIONS

MICHAELS RESTAURANT PARKING CALCULATIONS

EXISTING SITE
RESTAURANT = 4,660 sq ft / 1,000 x 16 = 75 SPACES

PROPOSED
RESTAURANT ADDITION
1ST FLOOR = 3,265 sq ft / 1,000 x 16 = 53 SPACES
BASEMENT = 2,266 sq ft (NONE REQUIRED)

TOTAL PARKING REQUIRED = 128 SPACES

NOTE: ALL PARKING & DRIVEWAY AREAS ARE DUSTLESS & DURABLE SURFACES.

GERARD BLDG. - PARKING CALCULATIONS

1ST FLOOR AREA = 6,420 sq ft
PARKING REQUIRED = 1 SPACE / 300 sq ft = 21 SPACES

2ND & 3RD FLOOR AREA = 12,840 sq ft
PARKING REQUIRED = 1 SPACE / 500 sq ft = 26 SPACES

TOTAL PARKING REQUIRED = 48 SPACES

COMBINED SITE PLAN SHARED PARKING CALCULATIONS

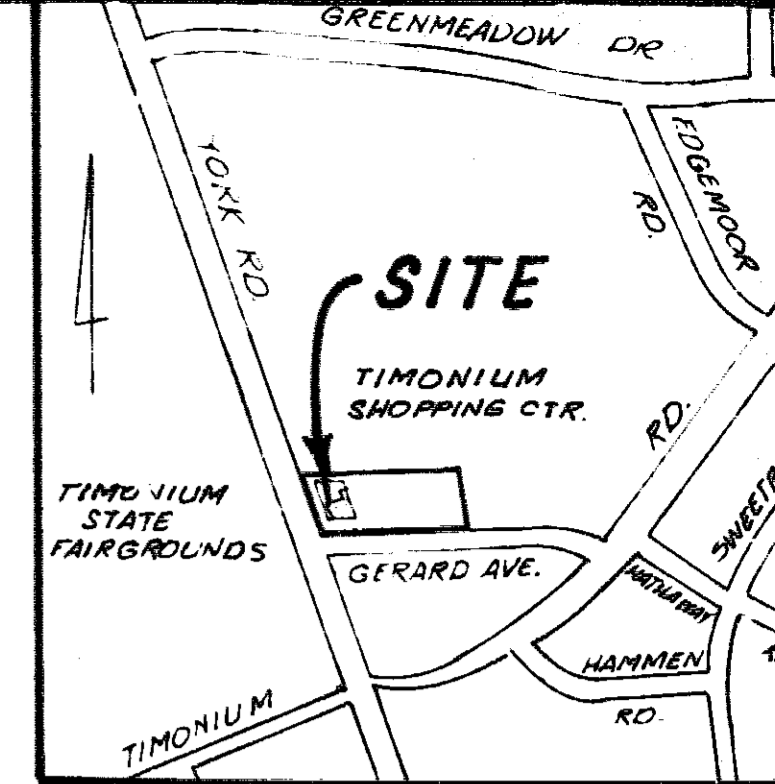
	WEEK DAY		WEEKEND		
	DAYTIME (6AM-2PM)	EVENING (6PM-MIDNIGHT)	DAYTIME (6AM-6PM)	EVENING (6PM-MIDNIGHT)	NIGHTTIME (MIDNIGHT-6AM)
OFFICE	100% = 48	10% = 4.8	10% = 4.8	5% = 2.4	5% = 2.4
RESTAURANT	50% = 64	100% = 128	100% = 128	100% = 128	10% = 13
TOTAL	112	133	133	131	16

... THEREFORE PARKING REQUIRED BY SHARED PARKING CALCULATIONS = 133 SPACES
... PARKING REDUCTION BY PREVIOUS VARIANCE (CASE NO. 86-377-A) = 35 SPACES

NET PARKING REQUIREMENTS = 98 SPACES
PARKING PROVIDED = 108 SPACES
PARKING SURPLUS = 10 SPACES

SPECIAL NOTE: BCZR 409.8.B.2

- COMMERCIAL PARKING IN A RESIDENTIAL ZONE**
- THE LAND SO USED ADJOINS THE BUSINESS INVOLVED
 - ONLY PASSENGER VEHICLES, EXCLUDING BUSES, MAY USE THE PARKING FACILITY
 - NO LOADING, SERVICE, OR ANY USE OTHER THAN PARKING SHALL BE PERMITTED
 - LIGHTING SHALL BE REGULATED AS TO LOCATION, DIRECTION, HOURS OF ILLUMINATION, GLARE, AND INTENSITY, AS REQUIRED
 - A SATISFACTORY PLAN SHOWING PARKING ARRANGEMENT AND VEHICULAR ACCESS IS PROVIDED HEREON
 - METHOD AND AREA OF OPERATION, PROVISION FOR MAINTENANCE AND PERMITTED HOURS OF USE ARE PROVIDED HEREON AND BY SUPPLEMENTAL DOCUMENTATION.



VICINITY MAP
SCALE: 1" = 500'

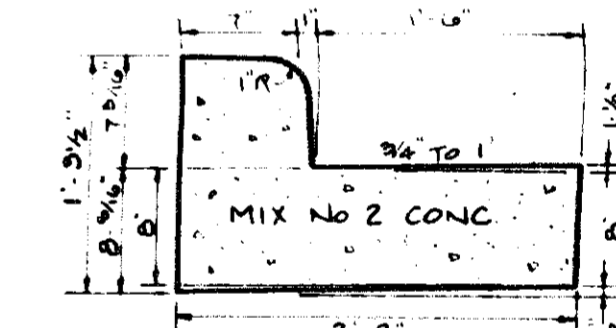
SITE DATA

MICHAELS RESTAURANT

AREA OF TRACT = 0.55 ± ACRES
EXISTING ZONING = BR-CNS
EXISTING USE = RESTAURANT-AUTO SHOP
PROPOSED USE = RESTAURANT
TAX ACCOUNT NO. = 08-0816076076
DEED REFERENCE = 8026/483
PLAT REFERENCE = YORKSHIRE 7/21
TAX MAP 60 GRID 12 PARCEL 579
FLOOR AREA RATIO = FLOOR AREA 10,191 sq ft / SITE AREA 23,968 sq ft = 0.425

GERARD BUILDING

AREA OF TRACT = 0.87 ± ACRES
EXISTING ZONING = R-O
EXISTING USE = OFFICES
PROPOSED USE = OFFICES
TAX ACCOUNT NO. = 08-0805043206
DEED REFERENCE = 10840/639
PLAT REFERENCE = YORKSHIRE 7/21
TAX MAP 60 GRID 12 PARCEL 579



DETAIL - 7" COMBINATION CURB & GUTTER
NOT TO SCALE

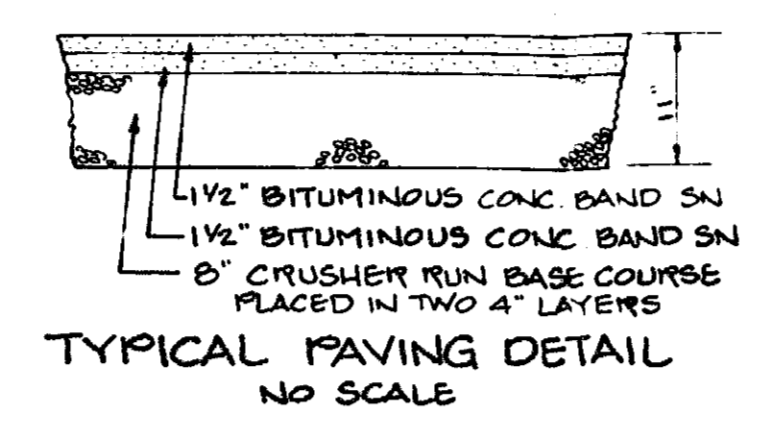
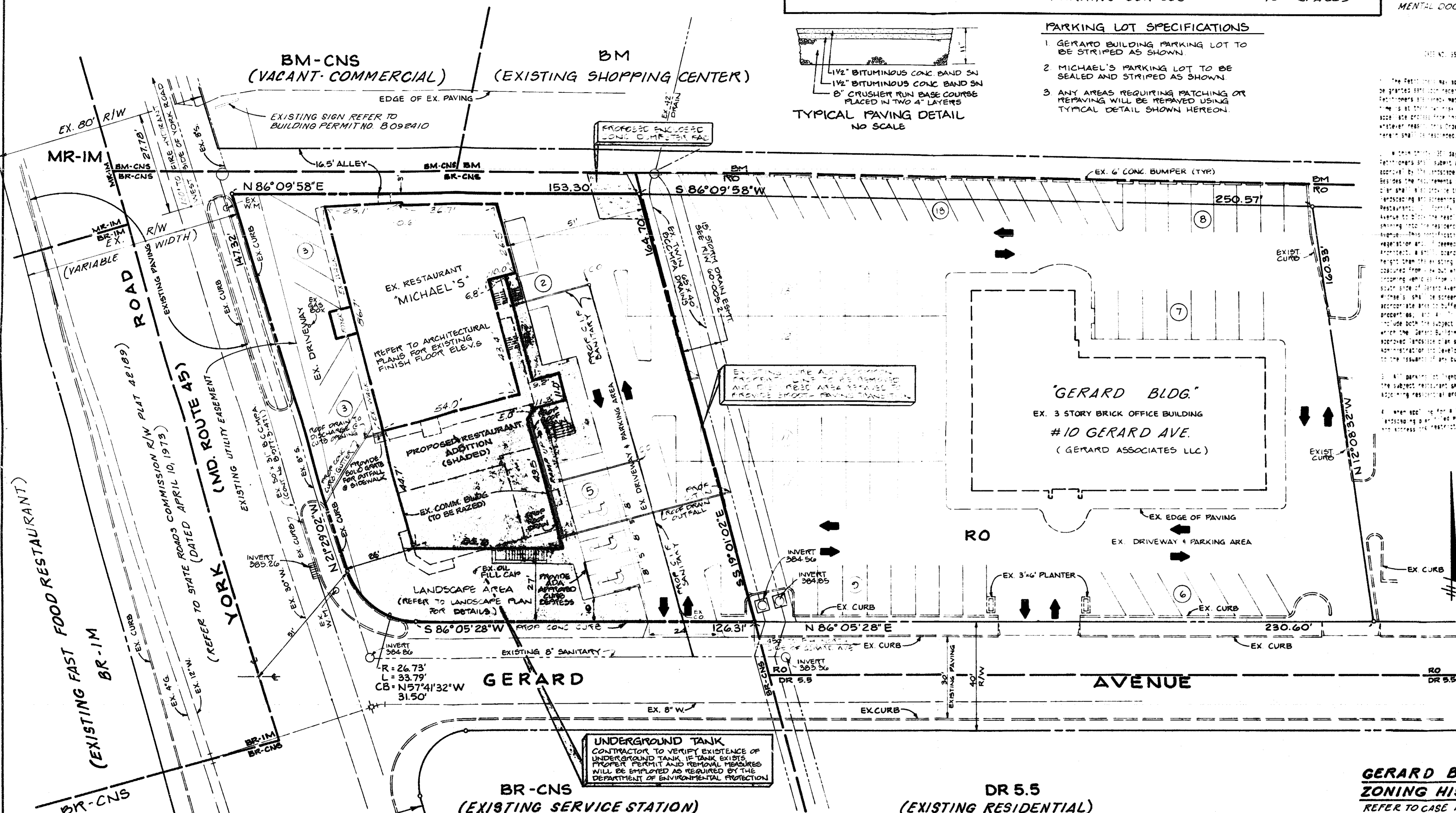
OWNER / DEVELOPER
MICHAEL S RESTAURANT
MARCELLA & MICHAEL S DELLIS
2110 YORK ROAD
TIMONIUM, MARYLAND 21093

NO.	DATE	DESCRIPTION
1	3-30-95	REVISED PER COMMENTS FROM ARCHITECT & ZDM
2	5-5-95	REVISED PER ARCHITECT'S COMMENTS

SPELLMAN, LARSON & ASSOCIATES, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
SUITE 109, JEFFERSON BLDG., TOWSON, MD., 21204
PHONE 823-3535

SITE PLAN
MICHAEL'S RESTAURANT
2110 YORK ROAD
TIMONIUM

8TH ELECTION DISTRICT
SCALE: 1" = 20'
DATE: MARCH 22, 1995
DES BY: JLL
DRN BY: JMC
SHT. 1 OF 1



PARKING LOT SPECIFICATIONS

- GERARD BUILDING PARKING LOT TO BE STRIPED AS SHOWN
- MICHAEL'S PARKING LOT TO BE SEALED AND STRIPED AS SHOWN
- ANY AREAS REQUIRING PATCHING OR REPAVING WILL BE REPAVED USING TYPICAL DETAIL SHOWN HEREON.

EXISTING UTILITY NOTE:
EXISTING PUBLIC UTILITIES AND WATER & SEWER SERVICE CONNECTIONS AS SHOWN ON PLAN ARE DERIVED FROM STATE & COUNTY CONTRACT DRAWINGS. CONTRACTOR MUST FIELD VERIFY THE LOCATION AND DEPTH OF THE UTILITIES TO HIS OWN SATISFACTION. INVERT ELEVATIONS FOR THE STORM DRAIN AND SANITARY SEWER STRUCTURES SHOWN HEREON HAVE BEEN FIELD VERIFIED BY SPELLMAN, LARSON & ASSOCIATES, INC.

MICHAEL'S RESTAURANT ZONING & BUILDING PERMIT HISTORY

REFER TO CASE NO. 86-377-A
VARIANCES GRANTED 11-26-86

- RELIEF FROM SECTION 288.2 OF THE BALTIMORE COUNTY ZONING REGULATIONS (BCZR) TO ALLOW AN EXISTING SIDE YARD SETBACK OF 2.94 FEET IN LIEU OF 30 FEET;
- RELIEF FROM BCZR 409.2 TO PERMIT 44 PARKING SPACES IN LIEU OF 79 SPACES;
- RELIEF FROM BCZR 409.2c(4) TO PERMIT A DISTANCE OF 2 FEET FROM THE PARKING SPACE TO THE STREET PROPERTY LINE IN LIEU OF 8 FEET;
- RELIEF FROM BCZR SECTION 102.2 (288.2) TO PERMIT A DISTANCE BETWEEN BUILDINGS OF 25 FEET IN LIEU OF THE REQUIRED MAXIMUM OF 60 FEET; AND
- RELIEF FROM SECTION 288.1 TO PERMIT THE DISTANCE TO CENTER LINE OF SIDE STREET OF 42 FEET IN LIEU OF 50 FEET.

(REFER TO PREVIOUS BUILDING PERMIT NO. B 005116)
ORIGINAL BUILDING AND PARKING LOT WAS CONSTRUCTED PRIOR TO 1924 AS EVIDENCED BY BCBE CONSTRUCTION DRWG. NO. 34-1098A-4. EXACT DATE OF CONSTRUCTION WAS ESTIMATED AS EARLY 1940'S BY CURRENT OWNER RECORDS.

DR 5.5 (EXISTING RESIDENTIAL)

ZONING SPECIAL HEARING CASE No. 95-221-5PM

- TO ALLOW COMMERCIAL PARKING IN A RESIDENTIAL ZONE PURSUANT TO BCZR SECTION 409.8. B.
 - TO AMEND 2 PREVIOUS SITE PLANS
i.e. MICHAEL'S RESTAURANT DATED OCTOBER 3, 1985
GERARD BUILDING DATED JULY, 1968
 - TO APPROVE A MODIFIED PARKING PLAN PURSUANT TO BCZR SECTION 409.12
- ORDER GRANTED FEB. 19, 1995

GERARD BUILDING ZONING HISTORY
REFER TO CASE NO. 69-68-X
SPECIAL EXCEPTION TO ALLOW OFFICES IN A RESIDENTIAL ZONE. GRANTED SEPTEMBER 16, 1968

